

**CONFLICT AND CONFLICT RESOLUTION IN BAKASSI
PENINSULA, 1994-2002**

BY

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DECLARATION

I here declare that this dissertation titled: Conflict and conflict resolution in International relations. A study of Bakassi Peninsula has been written by me and it is a report of my research work. It has not been presented in any previous application for Master's of Sciences (M.Sc) International Relations.

All questions are indicated and sources of information specially acknowledged by means of references.

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CERTIFICATION

This dissertation titled: Conflict and Conflict Resolution in Bakassi Peninsula, has been read and approved as meeting part of the requirement for the award of (M.Sc) Political Science, (International Relations) in Department of Political Science, Faculty of Social Sciences, Nasarawa State University, Keffi, Nasarawa State, read and approved by the undersigned.

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DEDICATION

This dissertation is dedicated to the loving memory of my Late Father, Mr. Raphael Eliazer Akumefula Anyanwu who tried to see me through my formative years in education but died before he could accomplish this mission. May his gentle soul rest in perfect peace, “Amen”.

To my ever loving caring mother, Mrs. Cordelia Amugwanwa Anyanwu, to my beloved and God given wife, Mrs. Fine Nneoma Anyanwu who always stood by me all these years with words of encouragements, prayers, love and caring, and to my lovely children, Chinomso, Chidebere and Nmesomachokwu, may our good Lord bless you all for your enduring prayers and love.

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TABLE OF CONTENTS

Cover page.....	i
Declaration.....	ii
Certification	iii
Dedication	iv
Acknowledgement.....	v
Table of Contents.....	vii
Abstract.....	vii

CHAPTER ONE

INTRODUCTION

1.1	Background to the Study.....	1
1.2	Statement of the Problem.....	6
1.3	Research Questions.....	7
1.4	Objectives of the Study.....	7
1.5	Significance of the Study.....	7
1.6	Research Propositions	8
1.7	Scope of the Study	9
1.8	Organization of the Study.....	9

CHAPTER TWO

LITERATURE REVIEW AND THEORITETICAL FRAMEWORK

2.1	Conceptual Framework.....	10
2.1.1	Concept of Conflict.....	10
2.1.2	Conflict Resolution.....	13
2.2	Empirical Review of Previous Literature.....	17
2.2.1	Causes of Bakassi Conflict	17
2.2.2	The Role of International Relations on Bakassi Conflict Resolution	23
2.2.3	The Border Conflict between Nigeria and Cameroon.....	27
2.2.4	The Origin and Historical Background of Nigeria - Nigeria Border Dispute over Bakassi Peninsula.....	30
2.2.5	The Cameroon Position on the Border Conflict.....	34
2.2.6	Nigeria Position on the Border Conflict.....	37
2.2.7	The Indigenous Communities Position on the Border Conflict.....	38
2.2.8	Results and Implications Bakasi Conflict	39

2.2.9	The Implication of the ICJ Ruling and the Green-Tree Agreement.....	42
2.2.10	How International Courts of Justice (ICJ) Resolved the Bakassi Conflict.....	44
2.2.11	The Crude Oil Discovered is the Major Interest of Bakassi Conflict.....	47
2.3	Theoretical Framework.....	50

CHAPTER THREE

RESEARCH METHODOLOGY

3.1	Research Design.....	58
3.2	Population of the Study.....	58
3.3	Sample Size and Sample Technique.....	59
3.4	Methods of Data Collection.....	62
3.5	Justification of Methods.....	62
3.7	Technique of Data Analysis.....	63

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1	Data Presentation and Analysis	64
4.2	Discussion of Findings	76

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1	Summary.....	79
5.2	Conclusion.....	80
5.3	Recommendation.....	82
5.4	Limitations of the Study.....	83
	References.....	84
	Appendix 'A'	89

ABSTRACT

The study examines the conflict and conflict resolution in international relations. The basic contention in this research work is to point out the role played by the International Court of Justice (ICJ), United Nations and international communities on Bakassi conflict resolution between Nigeria and Cameroon. The research work captured the causes of the Bakassi conflict including the geographical and institutional positions, colonial legal history demographic issues, political and economic resources were found in Bakassi conflict resolution through diplomacy, foreign policy and states decision making process adopted in Nigeria- Cameroon and the rest of the world to resolved the boundary dispute. Cameroon and Nigeria authorities respectively were both responsible for reaching agreement through diplomacy tenet to end the border conflict. After the 2002, the International Court of Justice (ICJ) verdict acceding the territory to Cameroon, the then UN Secretary General Kofi Anna established a mixed commission comprising representatives of Nigeria, Cameroon and the UN to consider ways of following up in the (ICJ) ruling and moving the process forward. However, this study employed the used of secondary sources of data, quantitative data were used and collected, while Marxist theory of conflict was adopted as a theoretical framework underpinning. The research also found that Nigeria-Cameroon border dispute was aggravated in this case, by the discovering of large deposit of oil under the sea in the Bakassi peninsula area. The Bakassi peninsula has always been rich under meantime resources and with the discovery of oil; the territory assumes a portion of land worth dying for. The research work therefore recommends that the international communities and regional organization in Africa especially AU, ECOWAS, IGAD etc., to come out with a new effective conflict resolution mechanism such as Alternative Dispute Resolution (ADR) that can enable them to resolve or halt border conflict in African continent.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The Bakassi Peninsula is an island located along the eastern end of the Gulf of Guinea between latitudes 4°25' and 5° 10'N and longitude 8° 20' and 9° 08'E. It consists of a number of low-lying largely mangrove covered islands covering an area of about 665km² (257sqm) and the population is about 300,000 inhabitants. The island is highly inhabited with the indigenous people of Efik tribe, which they claimed to belong to the Federal Republic of Nigeria. The Peninsula is a veritable ground for fishing activities and other maritime wildlife activities, where two great ocean current meet, that is the cold Benguela current and the warm Guinea current which made it possible for fishing activities to the livelihood of the inhabitants.

The historical background of the Peninsula goes back to the colonial period after the arrival of the European colonial master to Nigeria in the middle of the 19th Century, the King of the old Calabar Kingdom entered into a treaty of protection with the Queen of England on September 10, 1884. The territory covering this region was at this time, under the control of the King of the old Calabar Kingdom. Therefore, in signing this treaty, it means he has officially ceded the territory to the British as a protectorate. However, Britain was free to carry out any activity and equally exercised whatever she deems fit in the territory.

The claim of sovereignty of the Bakassi Peninsula is one of the numerous conflicts in Africa concerning border disputes. This however should be in some extent put on the shoulders of the former colonial master who partitioned Africa without taking into consideration of the ethnic groupings, geography and demography of the area, history, language and socio-cultural affiliations of the people. This has really hampered integrity

and sovereignty of most countries in Africa, as most often, people from the same ethnic grouping happen to find themselves on two different colonial territories and governed by different colonial powers.

The historical background of the Bakassi Peninsula can be traced back during the era of colonialism. The German were the first colonial master who colonized Cameroon not until the outbreak of the First World War, the European powers having colonial territories were largely interested in securing their interests instead of the colonial people they claimed they were civilizing. A country like Germany, were only interested in securing itself the vast territorial waters in order to keep the huge amount of shrimps and other maritime wildlife found in this water for herself. In order to avoid powers, Germany enter into an agreement with the British who were at this time the colonial master of Nigeria, limiting British expansion to the east, while Britain on the other hand required an undisturbed and free seas passage to Calabar, which was an important commercial seaport in Eastern Nigeria. This agreement was later code name the ‘Anglo-German agreement of 1913’, which clearly defined the exact demarcation of the border between Cameroun and Nigeria. The first part of the treaty entitled; “The settlement of the frontier between Cameroun and Nigeria, from Yola to the Sea”, clearly situate the territory of Bakassi under the jurisdiction of the Germans. The second part entitled; “The Regulation of navigation on the Cross River” placed the “navigable portion” of the offshore border of the Bakassi Peninsula to Britain, Article 21 of the Anglo-German treaty of 1913, which stipulates the exact position of the border.

From the center of the navigable channel on a line joining Bakassi point and king point, the boundary shall follow the center of the navigable channel of the Akwatafe River as far as the 3 mile limit of territorial jurisdiction, for the purpose of defining this boundary, the navigable channel to lie wholly to the east navigable channel of the cross

and Calabar Rivers.

This however, proves that from 1913, after the signing of the Anglo-German Treaty and onwards, British and German maps clearly show the Bakassi Peninsula in Cameroun. Following the dramatic jurist of event, this saw the outbreak of the First World War in 1914. French and the English decided to extend the war in German colonial territories in Africa, aimed at fighting the Germans in their African colonial territories. At the end of the war, Germany lost all her colonies in Africa including Cameroun to the allied powers. Cameroun was rule as a mandated territory under the League of Nations and later partitioned in 1919 into two territories among the British and French. The French took 4/5 of the territory called French Cameroon and the British get 15 of the territory called British Cameroon. The France-British Agreement of July 1919 placed the territory of Bakassi and the rest of “British Cameroon” under the mandate of British. The British introduced the system of indirect rule in their territory of British Cameroon as an integral part of Nigeria with respect to the border agreement between both powers, which was signed to further codify the treaty of 1919.

The two Cameroon that is, French and English Cameroon were ruled as a mandate territory by France and Britain until the outbreak of the Second World War. The mandate territories of the British Cameroon and French Cameroon were placed under UNO, which succeeded the League of Nations as Trust Territories. Worthy of note here is that, the agreement greeting these trusteeship territories re-ratified the Anglo-German treaties of 1913 demarcating the borders between Cameroon and Nigeria. Again, maps produced during this period placed Bakassi under the sovereignty of Cameroon.

The British Cameroon was divided into two parts namely British Northern and British Southern Cameroon respectively, with Bakassi falling under the competence of British Southern Cameroon. In the advent for the fight for independence in the late 1950 across

Africa, tensions have grown in the territory of British Cameroon. In the light of this growing tension for independence, the United Nation requested Britain to carry out a plebiscite in the territories under her jurisdiction. British Northern Cameroon was to exercise their right and willingness as to which country they would like to join and become independent. A plebiscite was held in British Northern Cameroon as, “(Do you wish to attain independence by joining the Federal Republic of Nigeria or by joining the Republic of Cameroon?)”. The outcome of the result of the plebiscite was that British Northern Cameroon voted to achieve independence by joining the Federal Republic of Nigeria. The events of the political parties and their divided opinions made the plebiscite to be postponed in British southern Cameroon. It was only on February 11, 1961 that the British Southern Cameroon voted to join the already independent republic of Cameroon (Former French Cameroun). It should also be noted here, that at the point of independence, Bakassi was a territory under the jurisdiction of Cameroon. Bakassi itself, has 21ss polling stations and 73% of the population voted to become independent by joining the Republic of Cameroon.

The Bakassi Peninsula is an area that was of no interest to that nations, as the territory has been long forgotten and was not an issue looking back at the afore-mentioned paragraphs. It becomes a center point of focus after the alleged discovery of oil by some foreign experts. As a result of the suspicious that Bakassi have a huge oil reserve, Nigeria was the first to claim sovereignty of the peninsula and immediately deployed her military in the territory to mark her presence and ownership. This dramatic event gave way to look back at the Anglo-German Treaty of 1913, which clearly defines and demarcates the maritime borders of the two countries, in which both countries accepted. In the wake of this post independent period, both countries sought ways of regulating the colonial agreement of 1913, signed by the colonial powers. Leaders of both

countries exchange visits as seen in April 1971. The Nigerian Head of state, Gen. Gowon accompanied with his collaborators visited Cameroon and met with his Cameroonian counterpart, Ahmadou Ahidjo in the capital city of Yaounde to discuss the issue. The outcome of this meeting was the signing of the **“Coker Ngo” line delimiting the “Navigable portion”** offshore border of the two countries, thereby reaffirming the 1913 agreement. Both Head of States were very satisfied with the outcome of the meeting, not only after Gen. Yakubu Gowon of Nigeria reverse the decision arrived at the meeting. This trigger a second meeting as Gen. Gowon again paid a second visit to the President Ahmadou Ahidjo of Cameroon at Monrovia city in July 1975, in order to correct the wrongs of the **Coker-Ngo line** referred in the 1913 agreement. However, at this point, it is understood that the sovereignty of Bakassi was not the issue rather the meetings were out to understand the colonial borders.

Gen. Gowon was overthrown shortly after his visit to Cameroon in a military coup in July 1975, by General Murtala Muhammed. In order to have the support of the Nigeria bulk population, he convinced them to believe that Gen. Yakubu Gowon has given Bakassi to Cameroon played in the Nigeria Civil War. He goes further to reject the authority of the 1971 and 1975 agreements between Gowon and Ahidjo that the Military Council has not ratified it. However, Gen. Murtala was later replaced by General Olusegun Obasanjo. It became a coincidence because President Obasanjo was Nigerian Head of state during this period and he still re-emerged again as President when hostilities broke out between the two countries and help to brokered peace by ensuring that Nigeria police and soldiers withdrew from the territory in accordance with the Green-Tree Agreement of 2006.

1.2 Statement of the Problem

The study examine the problems of conflict in Africa continent, Africa is characteristically conflict ridden with decade of experience in conflict states like Somalia, Sudan, Rwanda, Democratic Republic of Congo (DRC) Sierra Leone, Liberia, Nigeria, Cameroon etc.

Bakassi Peninsula is one of the numerous conflict areas in Africa, which is concerning border dispute between Nigeria and Cameroon. The border conflicts has been in place for so many years ago, the whole disputes problems on Bakassi Peninsula had been hanging on the shoulders of the former colonial powers, such as Great Britain, Germany, France, Portugal, and Spain in the 19th Century, who partitioned Africa without taking into consideration the ethnic groupings, geography and demography of the area, history, language and socio cultural affiliations of the people. This has really hampered the integrity and sovereignty of most countries in Africa, as most often, people from same ethnic grouping happen to find themselves on two different colonial powers.

African territories have attained independence and national sovereignty, African countries did not embrace one common part and a common culture, they are indeed the arbitrary creations descended on Africa during the close of the 19th century in their scramble for territory, was bound to leave a heritage of controlled borderlines most often in struggle for resource control. An example of this phenomenon is the Bakassi Peninsula, an area that became a continuous bone of contention between Nigeria and Cameroon soon after independence. This study demonstrates that the international agreements of the era of the scramble for Africa are sources of conflict among the African states, e.g. Nigeria and Cameroon.

1.3 Research Questions

The research questions that the study seeks to answer are:

- i.** What is the cause of boundary conflict between Nigeria and Cameroon over Bakassi Peninsula?
- ii.** What are the roles played by the UN and International Communities in resolving the Bakassi conflict between Nigeria and Cameroon?
- iii.** What are the conflict resolution mechanism adopted by the International Court of Justice (ICJ) in resolving the Bakassi conflict between Nigeria and Cameroon?
- iv.** Why was the former colonial powers failed to properly address

1.4 Objectives of the Study

The general objective of this study is to assess conflict and conflict resolution in international relations on Bakassi peninsular .The specific objectives of the study includes:

- i.** To investigate the causes of boundary conflict between Nigeria and Cameroon over Bakassi Peninsula?
- ii.** To establish the roles played by the UN and International Communities in resolving the Bakassi conflict between Nigeria and Cameroon?
- iii.** To assess the conflict resolution mechanism adopted by the International Court of Justice (ICJ) in resolving the Bakassi conflict between Nigeria and Cameroon?
- iv.** To find out the failures of former colonial powers on border conflict resolution between Nigeria and Cameroon?

1.5 Significance of the Study

The study examines the significant why conflict always occurred in Africa with particular reference on the border conflict between Nigeria and Cameroon on Bakassi

Peninsula. The comparative analysis of the study captured the roles played by Nigeria and Cameroon in curtailing the border conflict through legal processes. This help nation states to provide the best measure of settling boundary and conflict prevention in the future re-occurrence. The research work has an academic significance because it will add to existing body of knowledge and also serve as a guide for upcoming researcher on boundary disputes. However, the study will also explain the significant role played by the International Court of Justice (ICJ) in dealings with the long-standing crisis, which drew the attention of the former colonial powers to intervening for the purpose of providing a lasting solution to the conflict occurred between Nigeria and Cameroon on also Bakassi Peninsula.

The study is significant because it added the theoretical and empirical knowledge to the subject matter as researcher who wish to further the study on the topic laid hands to improve the research work. Finally, the research work would make further input to increase volume of review available literatures in the area of conflict, peace, and security on conflict between Nigeria and Cameroon . it would also save as a reference point to present for future researcher who are or might be eager to find solution to the myriad problems facing borders in Africa.

1.6 Research Propositions

The research propositions are as follows:

- i.** There is direct relationship between former colonial powers and boundaries dispute in Africa.
- ii.** The discovery of crude oil in Bakassi Peninsular is the major interest of both Nigeria and Cameroon?
- iii.** The ICJ ruling on the conflict affected the interest of Nigeria government and the agitators living in the Bakassi peninsula.

- iv. What are the interest of the United Nations and others international communities regarding the ICJ judgement on border conflict between Nigeria and Cameroon.

1.7 Scope of the Study

The scope of this study covers the period between (2004-2012) and the study focused on border conflict between Nigeria and Cameroon. The study critically examines the role played by the International Court of Justice (ICJ), International Communities and regional organizations on conflict prevention, management and resolution with particular reference to Bakassi conflict between Nigeria and Cameroon.

1.8 Organization of the Study

The study is arranged into five chapters, chapter one covers the introduction which gives the background to the entire work including the organizational structure. Chapter two deals with the Literature Review and theoretical framework of the study whereas Chapters three entails the Methodology of the study. Chapter four deal with the data presentation, analysis and discussion of findings, while chapter five is the summary, conclusion, and recommendations of the study

CHAPTER TWO

LITERATURE REVIEW

2.1 Conceptual Framework

2.1.1 The Concept of Conflict

Almost every academic discipline has its theoretical approach of understanding conflicts and economists, focused on game-theory and decision-making, psychologist explore interpersonal conflicts, sociologists take status and class conflicts as the focal point, while political science is centered on intra-national and international conflicts. Therefore, to review the conflict literature as a whole is an almost impossible task. Already, in the sphere of everyday language, the term conflict has no positive intonation. Usually, dysfunctional phenomena like discord, dispute or fighting are associated with it. However, with the omnipresence of conflicts it is not surprising that the debate about this topic takes on significance also in the political science. Although the branch of peace and conflict research owes even a part of its name to this subject, the disagreement over the exact notion of the conflict as a term dominates until today. This is however little amazing because it is about one of the most enigmatic and controversial terms, which itself triggers conflicts very often (Burton. D, 1968).

To Singer and Small (2005) defines conflicts as violent disputes in which at least one of the combatant parties is a state, and there are at least 100 battle-deaths. This definition covers exclusively soldiers and other military staff. Civilian victims are however, not considered both deaths threshold and the strict delimitation of state-participating conflicts of the Different Conflict Concepts. The definition of the Stockholm International Peace Research Institute (SIPRI) shows (Dalcon. V, 1997).

Also the Uppsala Conflict Database (USDP) follows this very narrowly composed

conflict notion (Williams B, 1996). An armed conflict is define as a contested incompatibility that concerns government or territory or both, where the use of armed force between two parties results in at least 25 battle-related deaths. These two parties, at least one has to be the government of a state. In turn, other conflict definitions have broader scope. For example, the Heidelberg Institute for International Conflict Research defines conflicts as:

The clashing of interests (positional differences) on national values of some duration and magnitude between at least two parties (organized groups, states groups of states organizations) that are determined to pursue their interests and win their cases (HIIC, 2005:2).

This definition testifies the fact that numbers of conflicts take place in weak or already collapsed states, which are not capable to intervene in the conflict with their own troops. In addition, conflicts in which the state power is not one of the conflicted parties are covered by this definition.

Conflict may be defined as a struggle or contest between people with opposing needs, ideas, beliefs, values, or goals. Conflict on teams is inevitable; however, the results of conflict are not predetermined. Conflict might escalate and lead to non-productive results, or conflict can be beneficially resolved and lead to quality final products. Therefore, learning to manage conflict is integral to a high-performance team. Although, very few people go looking for conflict, more often than not, conflict results because of miscommunication between people with regard to their needs, ideas, beliefs, goals or values. Conflict management is the principle that not all conflicts can necessarily be resolved, but learning how to manage conflicts can decrease the odds of non-productive escalation. Conflict management involves acquiring skills related to conflict resolution, self-awareness about conflict modes, conflict communication skills, and establishing a structure for management of conflict in your environment (Keave, R,

2001).

Conflict may be classified into violent and Non-violent conflicts as such absence of violence does not automatically mean an absence of conflict. Conflicting interests can be pursued without violence or coercion. When the conflict already exist, this means only an absence of violent methods employed by parties in their struggle to resolve their incompatible differences over issues that are of national relevance for them. Parties do not use force against each other. Yet, the existence of non-violent conflict must be noticed and recognized by the outside world, as well as at least by one of the involved parties. In addition, it should be stressed that violent escalation of every conflict evolves from a non-violent phase or the conflict. Non-violent conflict has been termed by Sandole (1998) as “Manifest Conflict Process (MCP)” and defined as a situation in which at least two parties, or their representatives, try to pursue their perceptions of mutually incompatible goals by undermining, directly or indirectly, each other’s goal-seeking capability. In the same token, his approach defines a latent conflict as pre-MCPs phase. According to above-mentioned COSIMO conflict categorization, there are two types of non-violent conflicts: latent conflicts, and manifested conflicts.

A conflict cannot be detected without existence of some visible signs that show certain position difference or interest opposition between two states over certain commodity. Sometimes conditions for conflict exist, but the parties are not pursuing an overt strategy to achieve their goals. However, at least one party has to have positional differences articulated in some form of demands, and the other party shall be aware of such demands. Following this logic, a latent conflict is defined as, a stage in the development of a conflict where one or more groups, parties or states question existing values, issues or objectives that have a national relevance. Latent conflicts must carry some identifiable and observe conflict categories able signs in order to be recognized

and noticed as such.

The positional differences and the clashing interests in a latent conflict must be articulated as demands or claims. The manifest conflict is a stage when tensions are present but are expressed by means below the threshold of violence. Tense relations between the parties can reach a turning point from where the use of force may become more likely. Economic sanctions, for example, are a means by which a latent conflict can be turned into a manifest. Manifest conflicts are like latent conflicts at all stages carried out by non-violent means and without use of armed force. The distinction between objectively latent and manifest conflicts is to be recognized in a sense that “communicative interaction” (Diez, Stetter, Albert, 2004) between the parties is required to turn a latent into a manifest conflict.

Conflicts enters a violent phase when parties go beyond seeking to attain their goals peacefully, and try to dominate, damage or destroy the opposing parties’ ability to pursue their own interests. For Davies (1973) the existence of frustration of substantive (physical, social-affection, self-esteem, and self-actualization) or implemental needs (security, knowledge, and power) is the essential condition for one non-violent conflict to escalate into violent: “Violence as a response is produced when certain innate needs or demands are deeply frustrated.” In political conflict analysis the use of force, physical damages and human casualties are the characteristics of a violent conflict. Battle-related human casualties’ thresholds are commonly used to define violent conflict, particularly in respect of war.

2.1.2 Conflict Resolution

The conflict resolution approaches also point out strategies that could be employed to find an exit from the conflict’s destroying dynamic and aim toward achieving satisfying solution for all parties involved. Among the many, Burton (1968) could be regarded as

the main representative of this research direction. Further, Kelman and Fisher (2003) and Kriesberg (1998), who brought some very important impulses to this discussion, are also to be mentioned. Burton (1968), contrary to the conflict settlement approaches, considers ongoing conflicts as a result of unsatisfied human needs. This view becomes clear particularly in his approach to problem-solving conflict resolution and respectively in his human-needs theory (Burton, 1990).

This author thereby, differentiates interests that are changeable or negotiable, from needs, which are quasi-natural. Here, security, justice and recognition are to be mentioned among the other needs and values. These values are regarded universal; they are not to be suppressed and are consequently indivisible. In accordance to this conflict, resolution intends not to end the conflict as such, but to transform it into a nonviolent conflict. Although Burton does not give detailed specifications how all of these fundamental needs could be realized, he offers a wide spectrum of methods.

There are many ways to resolve conflicts-surrendering, running away, overpowering your opponent with violence, filling a lawsuit, etc. The movement toward Alternative Dispute Resolution (ADR), sometimes referred to simply as conflict resolution, grew out of the belief that there are better options than using violence or going to court. Today, the terms ADR and conflict resolution or going to court are used somewhat interchangeably and refer to a wide range of processes that encourage nonviolent dispute resolution outside of the traditional court system. The field of conflict resolution also includes efforts in schools and communities to reduce violence and bullying and help young people develop communication and problems-solving skills.

Miller (2003) sees conflict resolution as “a variety of approaches aimed at terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict.” Miller et al (2001) indicate that by conflict resolution, it is

expected that the deep-rooted sources of conflict are addressed and resolved, and behaviour is no longer violent, nor are attitudes hostile any longer, while the structure of the conflict has been changed. Mitchell and Banks (1996) use conflict resolution to refer to;

- i. An outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries and
- ii. Any process or procedure by which such an outcome is achieved. Some people may use the term “conflict resolution” to refer to a specialized field of study and practice as in the field of conflict resolution.

Putting these ideas together, it can be said that in principle, conflict resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of a settlement and the conflict is resolved in true sense. Some conflicts, especially those over resources, are permanently resolvable. From the point of view of needs, a conflict is resolved when the basic needs of parties have been met with necessary satisfiers, and their fears have been allayed. Others, like those over values, may be non-resolvable and can at best be transformed regulated or managed.

Therefore, each succeeding spiral of conflict, polarization grows and the parties become more adamant and intransigent in their approach to the situation. Even though the intensity of the conflict may moderate for the period, the issues remain, triggering events induces conflictual behavior with negative consequences, and the conflicts make one more step up the escalation staircase. When party becomes locked in a conflict, they are usually unable to get out by themselves, and the intervention of a third party to play the role of arbitrator, mediator or consultant may be required. Supranational

conflicts are conflicts that involved states or in which one of the parties is a state. There are three common types of supranational disputes: disputes involving maritime boundaries, disputes involving land and investor-state dispute also known as investment treaty disputes, these disputes are different from commercial disputes in many ways.

First, supranational disputes are likely to be dealt with by special tribunals that deal with international conflict resolution and settlement such as the International Court of Justice (ICJ), the Permanent Court of Arbitration (PCA) and the international Tribunal of the Law of the Sea (ITLOS) or the International Centre for Settlement of Investment Disputes (ICSID). Pure Commercial dispute, on the other hand, are likely to be dealt with in national courts or by international commercial arbitral bodies such as the International Convention on the Settlement of Investment Disputes (ICSID) and the New York Convention on Commercial disputes.

In resolving supranational conflicts, it is important to bear in mind that, unlike other conflicts, it is likely to arise out of a treaty. For example, a maritime delimitation disputes may be governed by the 1982 law of the Sea Convention (UNCLOS III) or an investor-state dispute by the international settlement of investment dispute convention and the Court is to apply international conventions, international customs and the general principles of laws recognized by the nations.

There are various methods of dispute resolution; the most common among them is negotiation. Negotiation consists of discussion between officially designated representatives designed to achieve the formal agreement of other governments in an issues that is either shared concern or in dispute between them. Negotiation has been divided into three distinct stages: pre-negotiation, formal negotiation and agreement. Good offices are another method of conflict resolution it involves the assistance of a third party or state not a party to the dispute. The third party in adhering strictly to the

limits of good offices may offer only a channel of communications or facilities for the use of parties but may not offer any suggestions for terms of settlements. It promotes settlements without getting involved in the issues at stake.

Inquiring is another methods of conflict resolution. It is the process of fact-finding by a neutral team of investigators. Often the fact underlying a particular conflict is in dispute among the parties and a clarification by an impartial commission will facilitate settlement. In mediation, the mediator is a third party and primarily a facilitator who seeks to established or restore communication between feuding parties. The mediator strives to bring the parties face to face to negotiate and this constitutes a vital objective of his endeavours, the mediator must have good influence, credibility and good standing with the parties. Above all, he must have good diplomatic skill.

Another method or conflict resolution is conciliation, which is similar to mediation except for the legal distinction that the third party is a commission or an international body whose aid has been sought in finding a solution satisfactory to the disputants. Arbitration is a step rather than a fact-finding mission since it involves the practical examination of the issues involved in a crisis and the decision is binding on the parties. Often a tribunal is set up to examine the issues and make recommendation to a superior body. Adjudication or judicial settlement is a process of submitting to an international covert for decision. Unlike arbitration, the covert is subjected to no preliminary litigations upon its procedures, evidence to be considered or legal principles to be applied except those stated at the statue by which it was created.

2.2 Empirical Review of Previous Literature

2.2.1 The Causes of Bakassi Conflict

i. The Geographical and Constitutional Positions

Geographically, Bakassi peninsula is about 826.07 square kilometers, bordering

Akpabuyo Council of Cross River State, and Mbo Council in AkwaIbom State, Nigerian international boundary with Cameroun. The Peninsula is situated between latitudes 4.26 and 4.5 degrees north of the Equator, and longitudes 8.30 and 9.08 degrees east of Greenwich Meridian (Ajayi, 2002).

Bakassi peninsula consists of over thirty three (33) villages. Although subject of contention, the population of the peninsula is put at between 150,000 and 300,000 people. The swampy peninsula and associated small islands are strategically located at the controlling access to the Nigerian part of Calabar. The surrounding waters are rich in fish and submarine oil deposits. The traditional inhabitants are mainly Efik fishermen with ties to Nigeria. Bakassi is situated at the eastern end of the Gulf of Guinea, where the warm east-flowing Guinea Current (called AyaEfiat in Efik) meets the cold north-flowing Benguela Current (called AyaUbenekang in Efik). These two great ocean currents interact creating huge foamy breakers, which constantly advance towards the shore, and building submarine shoals rich in fish, shrimps, and an amazing variety of other creatures. This makes the Bakassi area a very fertile area for fishing. Most of the populations make their living through fishing (Anene, 1970).

According to Ajayi (2002), Bakassi Peninsula suffers from coaster marine erosion, ground -water occurrence, loss of biodiversity, oil spill and pollution due to inadequate environmental management initiative. Notwithstanding, these environmental challenges, Bakassi Peninsula, no doubt, constitutes national power given its strategic location and economic potentials.

ii. Colonial-Legal Sources

The dispute over the Bakassi peninsula is not only the product of redefinition of boundary by the colonial powers but more so 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 Cameroun (Tarlebbee & Baroni, 2010).

Another compelling reason for the fight over the ownership of Bakassi was that the area, before the scramble for Africa, was part of the ancient kingdom of Calabar. The people in the main settlements in the Bakassi Peninsula owed allegiance to the Obong of Calabar, but the Obong of Calabar placed Calabar, the Efike and Ibibio (in the Peninsula) under the status of a British protectorate via a Treaty on 10th September 1884. The Chiefs of Efik and Ibibio were co-signatories to the Treaty.

Article I of the treaty read thus: “Her Majesty the Queen of Great Britain and Ireland, & c, in compliance with the request of the Kings, Chiefs, and people of Old Calabar, hereby undertakes to extend to them, and to the territory under their authority and jurisdiction, her gracious favour and protection.”

Article II says: “The Kings and Chiefs of Old Calabar agreed and promise to refrain from entering into any correspondence, agreement, or treaty with any foreign nation or Power, except with the knowledge and sanction of Her Britannia Majesty's Government” (as cited in Rendu, 2002).

Based on the above Treaty, the Nigerian government had argued that the Kings and Chief of Old Calabar did not give Her Majesty the Queen of Great Britain, the power to transfer the territory, but to protect it. Therefore, the Nigerian government failed to succumb or accept that certain critical legal instruments subsequently changed the status of the Bakassi peninsula and its inhabitants as highlighted by Aghemelo and Ibhasebhor (2006).

- a. The agreement between the United Kingdom and Germany signed in London on 11th March, 1913 entitled

- i. the settlement of the frontier between Nigeria and Cameroun, from Yola to the sea, and
- ii. the regulation of navigation on the Cross River’.
- b. The Anglo-German Protocol signed in Obokun on 12th April 1913, demarcating the Anglo-German boundary between Nigeria and “Kamerun” from Yola to the Cross River.

The exchange of letters between the British and German governments on 6th July 1914.

- c. The endorsement, in April 1961, by both the United Nations General Assembly and the International Court of Justice, of the results of the plebiscites conducted in Northern and Southern Cameroun in 1959 and on 11th February 1961, respectively.
- d. The Diplomatic Note, accompanied by a map, dispatched to the government of Cameroun by Nigeria in 1962, accepting the results of the plebiscites.

iii. Demographic Issues

According to Che (2007), the demographic composition of the border areas between Cameroun and Nigeria, especially the oil-rich Bakassi Peninsula, has been one of the dominant causes of the border dispute. In this regard, Nigerian policy-makers have stated that the high concentration of Nigerians of Efik-Oron stock on the Bakassi Peninsula constitutes a special circumstance that warrants a renegotiation of its ownership. Drawing inspiration from the British claims over the Falklands against those of Argentina, Nigeria has sought to legitimize their claims over Bakassi on two grounds, namely: evidence of exclusive habitation, and evidence of continuous habitation by Nigerian nationals. However, given Nigeria’s exploding population, Cameroonian authorities have viewed the Nigerian argument as a dangerous basis for the progressive ‘Nigerianisation’ of Nigeria’s neighboring states. For example, the ever-growing migrant Nigerian population in Cameroun was estimated at a little over 3

million in the early 1990s. Moreover, Ikome (2004) added that there are areas, even in the heart of Cameroonian cities, where people of Nigerian descent were the majority.

iv. Political-Strategic Issues

According to Ate (1983), the strategic importance of the peninsula for the territorial integrity and security of the Nigerian Federation was revealed during the Nigerian civil war. Some accounts hold that the split of the federation was forestalled when, in 1966, the Ahidjo regime provisionally authorized the Nigerian Federal Government to use portions of the Bakassi peninsula to block vital supplies to the Biafran secessionist army. Therefore, the discovery, during the civil war, that Nigeria's security and territorial integrity depended on Cameroun's goodwill pushed the Nigerian government into deciding to renegotiate its maritime boundary with Cameroun.

However, given the notions that said to have permanent interests and not permanent friends', it is unthinkable that Nigeria would want to pin its national security and territorial integrity on Cameroun's goodwill, as was the case during the civil war. Against a backdrop of continually shifting interests and circumstances in the region, Nigeria could not indefinitely expect the same support from Cameroun. For example, analysts have argued that the support which the Cameroonian government gave to the Nigerian government in 1966 derived from Ahidjo's desire to stemmed similar destabilizing revolutionary forces in Cameroun (Ikome, 2004).

v. Economic resources endowment

Looking at the development of this conflict back to the days of the Anglo-German Treaty of 1913, it becomes evident that something concrete took place that ignited the use of military force. According to Che (2007), both countries were more or less not very interested in the predicament of the Bakassi indigenes. Nigeria under British rule ceded the territory to Germany and immediately after independence; no claims of

sovereignty were laid on it by the Nigerian government. Cameroun on the other hand, largely saw Bakassi as its own, but failed to do anything to develop it. Worse still, Nigerians were tolerated to inhabit and create their institutions there without any serious form of control by the Cameroonian government except in terms of more or less arbitrary tax collection. It was not until it became clear after the discovery of large deposits of crude oil in adjoining offshore waters around the Rio del Rey area in the late 70s and early 80s that both countries realized that the Bakassi peninsula might indeed be a treasure of immeasurable economic value.

Besides oil, the Bakassi Peninsula and its surrounding waters is located where two great ocean currents meet making conditions very favorable for a large variety of fish and other forms of maritime wildlife to grow and reproduce.

Ikome (2004) agreed that Nigeria's Institute of Oceanography and Marine Research (IOMR) revealed that the continental shelf in the South Eastern sector (the area in dispute) is the broadest along the entire Nigerian coastline, and very rich in both fish and mineral resources, including oil. As early as 1975, the IOMR estimated that the area was yielding close to 100,000 metric tons of fish yearly. Moreover, both states, together with their multi-national exploration partners, have made huge investments near the disputed area. Nigerian policy-makers have argued that the Bakassi Peninsula and the Calabar channel are keys to the economic survival of the port of Calabar and its Export Processing Zone (EPZ).

More importantly, Nigeria's oil resources which provide about 90 per cent of its foreign exchange earnings occur predominantly in a zone from 10 to 41 nautical miles off the coast of Calabar. Within this zone are six oil tanker terminals, and three oil refineries. Although, oil accounts for only 35 per cent of Cameroun's foreign exchange earnings, it also has oil installations adjacent to the disputed area –it is effectively exploiting the

same oil field as Nigeria, from the opposite side. In addition, the supplies of crude to its only oil refinery come almost exclusively from the area in dispute. Therefore, giving up the Bakassi Peninsula and its adjacent areas to Nigeria would result in the closure of its only oil refinery. These important economic resources deepened the mutual distrust and suspicion between the two countries.

2.2.2 The Role of International Relation on Bakassi Conflict Resolution

The foreign policy-making processes in Cameroon are highly personalised matters and have been dominated by the governing style and personality of Presidents Ahmadou Ahidjo and Paul Biya, respectively. Bilateralism appeared to be Cameroun's preferred diplomatic interaction following independence but it somehow adopted a more open, multilateral and aggressive diplomatic overture within the international arena under the Biya regime to argue for its continued possession of the Bakassi Peninsula. This policy brief examines Cameroun's diplomacy towards Nigeria during the Bakassi Peninsula crisis. When Nigeria disputed Cameroun's ownership of the peninsula, she sought the assistance and arbitration of the International Court of Justice (ICJ) at the Hague.

This was in sharp contrast to its prior non-contentious, low-profile approach in its international engagements. Though Cameroun has previously provided two successive Secretary-Generals of the Organisation of Africa Unity (OAU), she has assumed a more subdued and subtle approach in multilateral organisations. The policy brief focuses on Cameroon's sudden change in diplomatic engagement and attributes such changed to the perceived threat of Nigeria over its sovereignty on the Bakassi Peninsula.

i. Cameroon's Bilateral Diplomacy with Nigeria

The foreign policy-making processes in Cameroun are a highly personalized matter and have been dominated by the governing style and personality of Presidents Ahmadou Ahidjo and Paul Biya, respectively. Both have had far-reaching impact on Cameroun

diplomacy and have been at the center of whether Cameroun diplomacy is aggressive or passive on certain fundamental international issues that Cameroun holds dear. Governed by both presidents, Cameroun has engaged in a non-contentious, low-profile approach in international gatherings. Within international foray, Cameroun supports the principles of non-interference in the affairs of third countries and has supported increased assistance to underdeveloped countries. Its commitment to causes such as international peacekeeping, the rule of law, environmental protection and its non-confrontational approach has inevitably led to the avoidance of criticism of other countries.

Despite the preponderance of multilateral such as the UN and the World Trade Organisation (WTO), effective diplomacy is achieved at the bilateral level. Bilateralism refers to trade or political relations between two states. At the dawn of political independence, several African countries embarked on bilateral relations with their former colonial powers and with other African countries. Trade treaties and diplomatic relations were established and ambassadors exchanged.

Following independence, Cameroun embarked on both a bilateral and multilateral diplomatic trajectory. Within the bilateral realm, diplomatic relations were established with several European and African countries. Owing to historical exigencies, Nigeria was one of the first countries with which Cameroun established diplomatic and trade relations in the early 1960s. However, for a number of years relations between the two countries were strained over issues relating to their 1600 kilo-metre boundary, extending from Lake Chad to the Bakassi Peninsula. Amongst the issues involved are the rights over the oil-rich land and sea re-serves, and the fate of the local populations.

After the 2002 International Court of Justice (ICJ) verdict ceding the territory to Cameroun, the UN Secretary-General, Kofi Anna, established a Mixed Commission

comprising representatives of Cameroun, Nigeria and the UN “to Consider ways of following up on the ICJ ruling and moving the process forward. The Commission was chaired by the Secretary-General’s Special Envoy for West Africa, Ahmedou Puld-Abdallah. The Cameroun delegation was led by Ahmadou Ali, Cameroon Minister of Justice and the Nigerian Delegation by Prince Bola Ajibola, former Minister of Justice. The Mixed Commission’s mandate covered the following areas:

- i. Demarcation of the land boundary between the two countries.
- ii. Withdrawal of civil administration, military, police forces and transfer of authority in relevant areas along the boundary.
- iii. The eventual demilitarization of the Bakassi Peninsula
- iv. The need to protect the rights of the affected populations in both countries.
- v. Development of projects to promote joint economic ventures and cross-border cooperation.
- vi. Reactivation of the Lake-Chad Basin Commission (LCBC).

ii. Cameroun’s Diplomacy After Independence

In 1958, the then former east Cameroun voted overwhelmingly to remain within the Francophone community, as did a majority of other French African colonies. Though political independence was granted on January, 1960, France continued to exercise control over Cameroon’s foreign policy direction. Although Amadou Ahidjo, Cameroun’s founding President chose to join the Monrovia Group as opposed to Kwame Nkrumah’s radical Casablanca Group or the French-African dominated Brazzaville Group, there is no gainsaying that the country played a determinant role in the formation of the Organisation of African Unity (OAU) in 1963. This determinant role was manifested by the fact Cameroun provided two successive Secretary-Generals of the OAU in the persons of Nzo Ekeangaki and William Eketi Mboumoua. Cameroon

diplomacy underwent a hiatus under the Biya regime as the grandiose days of the Ahidjo era dissipated into the doldrums of diplomatic stagnation. Since that time, she has had little presence at continental and global gatherings.

Despite this lack luster presence, Cameroon has continued to pay her dues to multilateral organizations such as the Africa Union (AU), the UN, the Communauté Economique et Monétaire de l'Afrique Centrale (CEMAC), the LCBC and the Niger Basin Commission. Backdoor diplomatic activities by Cameroon have led to the election of Cameroonians to posts of responsibility within international organizations. They include Dorothy Njeuma, a member of the Panel of Eminent Persons of the African Peer Review Mechanism (APRM), Elizabeth Tankeu, Commissioner of Trade and Industry at the AU and Barrister Akere Muna, President of UN Economic and Social Council (ECOSOC). Although Cameroon has taken a gradualist approach to the concept of a United States of Africa, her focused approach and determination to seek arbitration in her border dispute with Nigeria are some of her diplomatic achievements, which overshadow many of her previously erratic forays into international politics.

In seeking out the good offices of the Secretary-General of the UN and submitting her quarrel over the Bakassi Peninsula to the ICJ at The Hague, suggests that Cameroon believed that bilateralism as a diplomatic option in resolving the crisis had failed or may not have worked. Several issues could explain such a decision.

Firstly, Cameroon cannot risk a war with Nigeria, as it would be catastrophic for both sides. Secondly, the sheer size and sophistication of the Nigerian army is a significant deterrent. Cameroon was counting on the support of France but evidence suggests that French investment in Nigeria far surpasses her investments in Cameroon. Therefore, in the case of open conflict France would most likely either remain neutral or in an

extreme case, support Nigeria in order to protect her interests and investments in that country. Thirdly, an important Cameroun CEMAC ally, Equatorial Guinea, has since the onset of the conflict openly with Nigeria, Cameroon was therefore constrained by such exigencies to abandon bilateral discussions and engage with multilateral institutions in order to resolve the crisis.

2.2.3 The Border Conflict Between Nigeria and Cameroon

The delimitations of the Cameroun and Nigeria boundary were the subject of intense rivalry between the Germans and the British. The latter, who colonised Cameroon, insisted on a de jure boundary to lay to rest the territorial disputes between the chiefs of old Calabar and the chiefs of Bimbia over fishing ports and forest products. The negotiations culminated in the Anglo-German Agreement of 11th March 1913, delimiting the maritime boundary between the two states. The Milner-Simon Declaration of 1919 added further credence to the 1913 agreement. This declaration recognised the right of Cameroun over the Bakassi Peninsula. It took into consideration article 289 of the Versailles Treaty of 1919, which uphold treaties entered into by the Germans, prior to the First World War.

The maritime border was delimited a novo by the articles of the Thomson-Marchand Declaration of 1929-30 and again by the Henderson-Fleurian Exchange of Notes of 1931. The declarations and exchange of notes delimited and approved the Cameroon/Nigeria maritime boundary by the United Kingdom and France.

Despite the fact that until 1970 the boundary issue has been tackled by colonists, the two independent states recognised the need to relook at the demarcation process a novo, particularly as remnants of the Biafran army were holed-up in the creeks along the border. The leaders of the two countries met again in Yaoundé, Cameroun, to thrash out the fine details of the border problems raised at the 1970 Yaoundé meeting. The

Yaoundé II Declaration of 1971, as the outcome of that meeting was called, recognised and authenticated the 11 March 1913 Anglo-German Agreement and resolved to uphold that particular borderline as delimited in that agreement. Following the Yaoundé II Declaration of 1971 and the “Cleaning” of the Bakassi Peninsula by Cameroun of remnants of the Biafran army in the aftermath of the Nigerian civil war, both leaders again met in Garoua in 1975. The Garoua Declaration of 1975 is regarded as the single act of recognition and assurance by both countries to adhere to the preceding declarations. This reassurance was reflected in the geographical pattern of their oil concession until 1991, where the Anglo-German Agreement was valid and applicable in its entirety. The entente between the two neighbours collapsed when, in 1981 and again on Christmas Day 1993, Nigerian troops invaded the peninsula. The armies of the two countries were hole-up on the peninsula until 14 August 2007, when the ICJ had ruled that the disputed territory belonged to Cameroun.

Immediately after the attack of 1993, Cameroon lodged an official complaint at the ICJ in April 1994. The court admitted that it was competent to hear the matter despite initial objection from Nigeria. The court’s task was to specify definitively the course of the entire Nigeria/Cameroun boundary as fixed by the relevant international instruments. The court was also to pass judgment on the dispute over interpretation or application of certain provisions of those instruments and to investigate to what extent the provisions of these carious instruments were authentic. The various arguments raised by the legal team of both countries could be termed controversial and complicated. Nigeria’s claims were based on the premise that the majority of the people in the disputed areas were Nigerian. Nigeria argued that it had maintained unbroken possession over the area with acts of administration, which represents sovereignty. The court ruled that, considering the various instruments presented, Cameroun neither assented to nor agreed to

relinquish its title over the area in favour of Nigeria. The court argued that sovereignty over the settlements situated to the east of the boundary continues to lie with Cameroon. After more than eight years of litigation, the ICJ ruled on 10th October 2002 that the peninsula belonged to Cameroon and that Nigeria should immediately withdraw its troops from the area. The court's decision was received with mixed feelings in Abuja. Public opinion insisted that Nigerian troops should not be withdrawn from the territory as a matter of national interest. Though then President Obasanjo did not publicly pronounce on the official Nigerian standpoint. At the time many analysis were of the opinion that he was probably weighing the options as not to antagonise or bruise the Nigerian public opinion ego. Efforts have been made to restore calm in the region through the good offices of the Secretary-General of the UN and the LCBC, of which Cameroun and Nigeria are founding members.

On 29th March 1994, the government of Cameroon filed an application in the Registry of the ICJ, instituting proceedings against the government of Nigeria concerning its dispute with Nigeria over the Bakassi Peninsula. Cameroun further stated in its application that the delimitation of the land and maritime boundary has remained a partial one and that despite many attempts to complete it, the two parties have been unable to do so. Consequently, it requested the court to determine the course of the maritime boundary between the two states beyond the line fixed in 1975. On 6th June 1994, Cameroun filed an additional application in the Registry for extending the subject of the dispute to a further dispute, described in the additional application as relating to the question of sovereignty over a part of the territory of Cameroun in the area of Lake Chad. Cameroun requested the court to specify definitively the frontier between the two states from Lake Chad to the sea, a distance of approximately 1700 Km.

2.2.4 The Origin and Historical Background of Nigeria and Cameroun Border Dispute Over Bakassi Peninsula

It is a well established fact that where two or more nations interact, there is bound to be conflict. The Nigeria-Cameroun case is not an exception.

At ordinary glance, one can be tempted to concur with Brownlie (1979), that the border has been completely demarcated and that there are no disputed portions. In *African Boundaries*, Ian Brownlie traces the actual demarcation of the Nigeria-Cameroun border from whence the German protectorate of Kamerun was established on July 12, 1884 to the time of the plebiscite of February 11, 1961, when the territories of Southern and Northern Cameroun voted separately to join Cameroun and Nigeria (on different terms) respectively. Relevant treaties and agreements cited by Brownlie include:

- i. Notification to the European powers and the United States on October 15, 1884, concerning the German protectorate of Kamerun following the July 12, 1884 treaty that established the protectorate;
- ii. Notification to the Signatory powers of the General Act of the Berlin Conference on June 11, 1885 and May 13, 1885, of the British protectorate of Lagos, renamed Niger Coast protectorate.
- iii. Exchange of notes dividing the British and German protectorates from April 1885, July 1886 and the treaty of July 1, 1890.
- iv. Delimitation agreements from April 14, 1893-March 19, 1906 and the exchange of notes of February 22 and March 5, 1909;
- v. The Anglo-German Treaty of April 12, 1913, which presents the boundary sectors between German and Cross River, and between Cross River and the Bight of Biafra.

- vi.** The Milner-Simon Declaration of July 10, 1919, which partitioned German Kamerun between the British and the French Mandates established in 1912;
- vii.** The trusteeship agreement approved by the General Assembly of the United Nations on December 13, 1946;
- viii.** The 1959 and 1961 General Assembly plebiscites held in the territories of Northern and southern Cameroon respectively, and establishing with conformity, the boundaries between the Cameroon and Nigeria. Further, Brownlie notes that "since independence, neither of the successor states has challenged the principle of the boundary".
- ix.** The Nigeria-Cameroon border has four sectors. The first is the Lake Chad Tri point to the Horere Gesunii Uplands. The second is the sector of the River Gamaiia (boundary pillar 64) eastwards to the Kombon Mountains. From pillar 64, the third sector of the boundary runs from the Cross River down to the sea. The relevant portion of the border is described in the Anglo-German Treaty of March 11, 1913 as following the Thalweg of the Akpakorum (Akwayafe) River, dividing the Mangrove islands near Ikang and goes as a straight line to join Bakassi point and king point (March 11, 1913 Anglo-German treaty). Further, it was agreed by the two powers (Britain and Germany) that.

Should the thalweg of the lower Akwayafe, upstream from the line Bakassi point, change its position in such a way as to affect the relative positions of the Mangrove islands, a new adjustment of the boundary shall be made, on the basis of the new positions, as determined by a map to be made for the purpose.

Should the lower course of the Akwayafe so change its mouth as to transfer it to the Rio del Rey, it is agreed that the area now known as the Bakassi peninsula shall still remain German Territory. The same condition applies to any portion of territory now agreed to as being British, which may be cut off in similar way.

From the center of the navigable channel on a line joining Bakassi point and king point, the boundary shall follow the center of the navigable channel of the Akwayefe River as far as the three-mile limit of territorial jurisdiction. For the purpose of defining this boundary, the navigable channel of the Akwayefe River shall be considered to lie wholly to the east of the navigable channel of the cross river and Calabar Rivers.

The fishing rights of the native population of the Bakassi peninsula in the Estuary of the Cross River shall remain as heretofore. It was agreed that within six months from the date of marking out of the Boundary, natives living near the boundary-line may, if they so desire cross over to live on the side and may take with them their portable property and harvesting crops. Other provisions of the treaty took care of navigation on the Cross River, which accordingly, remained open to German ships. Further evidence of the demarcation of the Cameroun-Nigeria border is contained in the Franco-British Declaration on July 10, 1919, commonly known as the Milner-Simon Declaration (named after viscount Milner, Secretary of State for the colonies of the British Empire, and M. Henry Simon, Minister for the colonies of the French republic); and the Declaration made by the governor of the colony and protectorate of Nigeria and the Governor of French Cameroons defining the boundary between the British and French Cameroons.

The Anglo-German Treaty of April 12, 1913 is the only and most important ground from which reference concerning any territorial dispute along the border between the two countries could be made. Equally of importance are the international boundaries between the Cameroons (Ambazonia (Southern Cameroon) Cameroon) before independence. The map of Ambazonia when the British jointly administered it as a UN Trust Territory with Nigeria is central to understanding the positions of the claimants. This position is

supported by Olayinka Y. Balogun is his study of "The process of Cartographic Definition of Nigerian Boundaries." When he insinuates that "The original boundary between Nigeria and German kamerun had been demarcated with pillars by 1913, but with the post-world war 1 developments, the only internationally valid section of the demarcated boundary are a pair of the Yola Arc and the section from the Rio del Rey-Creek to a point where the Gamana River crosses the old boundary".

According to Olayinka, "this boundary would be valid only if Cameroon respects the protocol signed by Britain and Germany regarding this mutual boundary from Gamaha River eastward to Kombori and northward to the tri point with Chad, Cameroon-Nigeria is yet to be demarcated.

The weakness of Olayinka's argument does not concern the Anglo-German Treaty of 1913, but rather the fact that he retards the boundary between Ambazonia (then southern Cameroon), which was jointly administered with Nigeria. What treaties have Cameroon or back then in British ruled Nigeria. What treaty has Cameroon with Ambozonias that effectively dissolved the international boundaries of the latter?

On the contrary, both Nigeria and Cameroon are not respecting the boundaries and the agreements that created them. This may be partly because Nigeria wonders what has become of Ambazonia, which by the terms of the plebiscite treaty was not supposed to cease existing as a state, and in part, because it has instead been absorbed illegally by La Republic du Cameroon. Nigeria now wrestles with Cameroon in order to get a chunk of the now entrapped Ambazonia which probably to them is a "no man's land". There doesn't seem to be any other logical explanation why both nation, in violation of international law, are bent on fighting each other or as Africa confidential put it "blundering into battle" over Bakassi (www.postwatchmagazine.com

n).

2.2.5 The Cameroonian Position on the Border Conflict

Cameroon traced the genesis of the dispute to 11 March 1913 when Britain and Germany signed two agreements, namely: the settlement of the frontier between Nigeria and the Cameroon (Kamerun) - covering Yola, Nigeria to the sea; and the regulation of navigation on the Cross river (BFSP, 1913). The agreements addressed the precise demarcation of the Anglo-German boundary between Nigeria and Cameroon (Kamerun) from Yola to the Cross river, and were accompanied by 5 maps. The Germans that were then controlling Bakassi Peninsula (BP) conceded the 'navigable portion of its (i.e. offshore border) to Britain for uninterrupted and secure sea lane to Calabar. In exchange, Britain conceded the BP proper to Germany. What this meant was that Germans will no longer threaten Britain of access to Calabar, and the Obong of Calabar, Nigeria did not protest. The British and Germans maps were said to clearly show BP in Cameroon, and remained so even at the time of Nigeria's amalgamation in 1914 (Omoigui.<http://www.omoigui.com>). At the end of World War I, all the German territories were divided between France and Britain by the *Treaty of Versailles* in 1916; and on 10 July 1919, the *Franco-British Declaration* defined the boundary between French and British mandated Cameroon (Bekker, 2003). The declaration (agreement) placed Bakassi and the rest of what became known as British Cameroon under British mandate and administered coterminous with Nigeria. The 1913 border was retained.

There were two additional agreements signed on 29 December 1929 and 31 January 1930 between Graeme Thomson, Governor of Colony and Protectorate of Nigeria and Paul Marchland, *Commissaire de la République Française au Cameroun*. The agreements were incorporated in an Exchange of Notes between the French Ambassadors in London and the British Foreign Minister on 9 January 1931. The Exchange was

accompanied by earlier maps where BP was within the British Cameroons.

Going forward, on 13 December 1946 (that is, after WW II), the United Nations (UN) placed Cameroun under Trusteeship agreement. The agreement re-ratified the proper borders as codified by the previous Anglo-German and Anglo-French agreements. Again, it was accompanied by the same maps where BP was in Cameroun, not Nigeria.

In 1954, the British Secretary of State for the Colonies issued a 'legal order defining the border between Nigeria's Eastern region and Southern Cameroons, and placed the BP in the Southern Cameroons (Ikome, 2004). By this, BP was distinct from the Eastern region and Calabar Province. On 11-12 February 1961, the UN asked Britain to clarify the position of the Northern and Southern Cameroons living in Nigeria through a plebiscite. The result of the clarification (plebiscite) showed that while the Northern Cameroons decided to remain in Nigeria, the Southern Cameroons opted to join their counterparts in Nigeria. It was emphasized that there were 21 polling stations in BP and 73 percent of the people voted to join the Republic of Cameroun (UN Resolution 1608 (XV), 1961).

In January 1962, the post-independence Nigerian government under Tafawa Balewa exchanged diplomatic notes with Cameroun where he acknowledged the fact that BP was not Nigerian territory (Anene, 1970). This was also the position of Major General Aguiyi Ironsi, Nigeria's first military Head of State and Government (HOSG) that came to power in January 1966. Irons committed his government to respect all previous international agreements. In July 1966, the then Lt. Col. Yakubu Gowon, Nigeria's second HOSG, that took over power from Ironsi also committed his government to honour all previous treaties/agreements. He was not bothered that the Nigerian map did not include BP.

It was after the Nigeria-Biafran war in 1970 that Nigeria sought *-for* clarification of the

maritime border that was 'vaguely' defined by the Anglo-German Treaty of 1913. This was important because the offshore boundary was ambiguous as there was no detailed demarcation of the 'navigable portion' to the Calabar estuary. The then Attorney-General of Nigeria, Teslim Elias (<http://www.gamji.com/nowa43.htm>, 3 September 1970) then advised the Gowon's government that:

This Ministry has given a most careful consideration to the whole question in the light of all the available evidence, and the conclusion is that there is no legal basis for Nigeria's claim to the Bakassi Peninsula for the reason stated herein... According to the information received from the Federal Director of Surveys, the Bakassi Peninsula has never been included as part of Nigeria in the administrative maps of Nigeria since the then Southern Cameroun ceased to be part of Nigeria in 1961. Also, the Northern Region, Western Region and Eastern Region proclamation of 1954 showed Bakassi Peninsula as forming part of the then Southern Cameroun. Moreover, by a Diplomatic Note No. 570 of March 27, 1962 from Ministry of Foreign Affairs to the Embassy of Cameroun in Lagos to which was attached a map prepared by the Federal Surveyors, Nigeria recognized Bakassi Peninsula as following part of Cameroun.

The main issue in the dispute was on deciding exactly what part was 'navigable' and what was not. This was then addressed by Nigeria's General Yakubu Gowon and Cameroun President. Ahmadu Ahidjo at Yaounde, Cameroun on 4th April, 1971. Both parties resolved that the boundary shall be the 'Coker-Ngo line on British Admiralty Chart No. 3433 as far as the 3 - nautical mile limit'. The status of BP proper was not an issue for discussion and the maps showing BP in Cameroun was not challenged. On 01 June 1975, Gowon and Ahidjo signed the *Maroua Declaration* for the partial extension of the 1971 maritime boundary without discussion on the status of BP proper.

It was General Murtala Mohammed, Nigeria's third HOSG, who overthrew Gowon on 29 July, 1975 that raised the issue of BP for the first time (Anene, 1970). He questioned 'all the domestic and foreign policy decisions' of his predecessors, including the offshore maritime border with Cameroun. In an effort to discredit Gowon, he 'accused him (Gowon) for giving away BP to Cameroon. Muhammed then relegated on Gowon's agreements with Ahidjo but never protested that Nigerian official maps still showed BP

in Cameroun. Ibrahim Babangida, Nigeria's 5th HOSG, saw it as an 'error' and ordered reprint of Nigerian maps to include BP in Nigeria in 1991.

Following Babangida's action, General Sani Abacha, Nigeria's 6th HOSG, created an administrative structure, known as Bakassi Local Government Council, as part of Cross River state, Nigeria and claimed full control of the Peninsula. This action led to sporadic clashes between the two countries until the ICJ at The Hague confirmed on 10 October 2002 what Elias had stated in 1970. The ICJ reiterated the relevance of pre-colonial and colonial treaties /agreements that placed BP and some parts of Lake Chad inside Cameroun. The ruling also provided guidelines for the final clarification of the offshore borders that placed BP and 33 villages at Lake Chad inside Cameroon (Baye, 2011).

2.2.6 The Nigerian Position on the Border Conflict

Nigeria recalled that Cameroun was a German colony until treaty of *Versailles* after the World War France was by then nowhere near the Bakassi Peninsula and could not have entered into treaty obligation with either Britain or the Efiks in 1913. It was after WWI when France "acquired" the Eastern part of Cameroun, and still never had any connection with Britain over Bakassi Peninsula. France came in after Nigeria's independence when Cameroonians opted to join their brothers in the French-speaking part it is, therefore, difficult to understand how the 1913 treaty became a major *prima facie* evidence.

Whereas the Western capitalist world ensures that the ICJ judgement be enforced, such enforcement are often times partial. The Nigeria position is that in the case of Israelis-Palestines conflicts, the then President of the court, Shijiu Yong ruled on 10 July 2004 that Israel should pull down the GOO kilometres of illegal barriers at the West Bank that imposed undue hardship on the Palestinians- But the United States disagreed with the

judgement and the UN Security Council did not enforce it. As Oloja (2004) puts it, "the United States White House Spokesman, Scott Micceilen, reacted that, we do not believe that this (ruling on Israeli pulling out) is the appropriate forum to resolve what a political issue is. This is an issue that should be resolved through the process that has been put in place, specifically, the road map.

Israel equally disregarded the ruling, and yet, the UN Security Council did not enforce it. Israel looked to US veto in the Security Council to block any bid for punishment. The other example was the apartheid South Africa that ignored ICJ ruling against its illegal occupation of the then Southwest Africa (now Namibia) in 1971 as it looked to Britain to veto UN Security Council's enforcement. Adam (1998) describes such inconsistencies in great deal in his book, *United Nations, Divided World*, and cautioned against the developed world's management of the post-cold war era and global peace.

The Nigerian position is that the case be re-opened as it ignored the inputs of indigenous communities in the affected areas, as well as five other relevant treaties on the matter on Bakassi Peninsula is an example of the artificial and arbitrary nature of Africa's colonially inherited boundaries. Thus, ICJ ought not to have unduly relied on the 1913 treaty as the basis of ruling in favour of Cameroun. It, therefore rejected the ruling and calls for a referendum and consideration of the five additional treaties.

2.2.7 The Indigenous Communities' Position on the Border Conflict

The position of the Bakassi returnees and indigenes of the 33 villages (with a population of about 60,000) at Lake Chad that were ceded to Cameroun have frown at the ICJ ruling, and demanding for a referendum in which they would be the deciding factor as it was done in the past, including the recent case in Southern Sudan in 2012, Pratt (2006). For them, their demand for a referendum is in line with both the USA position on the Israeli-

Palestinian conflict (earlier highlighted) where the Americans stated that ICJ 'is not the appropriate forum to resolve what a political issue is'. They asserted that the dispute over Bakassi Peninsula is also a political issue, and should be resolved by referendum.

The people urge the Nigerian government to re-open the case even though they expressed fear that France may block the Nigerian effort now that Ambassador Genrard Araud of France is the President of the UN 15-member Security Council. This is where Britain has to come in through treaty obligations Crowe, 1907, and Gooch and Temperley, (1926) the same way France is 'dragged' in by Cameroun through their Defence Pact. The people however, blamed the Nigerian team that was not well composed. It never had any treaty mandatory like Harold Dappa-Biriye, Obong of Calabar, General Yakubu Gowon or experienced traditional rulers privy to the colonial treaties that had hindsight to the ambiguous clauses in the 1913 treaty that formed the basis of the ruling.

2.2.8 Results and Implications of Bakassi Conflict

The results of the study are presented at Table 4. On Bakassi Peninsula, the ICJ accepted Cameroun claims that the "imprecise and poorly demarcated border" fixed by the colonial treaties of 1913 and 1931, and rejected Nigeria's position on "historical consolidation and affectivities". On Lake Chad, it fixed the maritime boundary from the mouth of *Akwayefeto* to the sea to the advantage of Cameroun; and obliged Nigeria to "expeditiously and without condition" withdraw its presence. By this ruling, Nigeria ceded 33 villages with a total population of about 60,000 in Lake Chad territory to Cameroun. The other result is that Cameroun secured sovereignty over Bakassi Peninsula and acquired 33 villages in Lake Chad territory.

The other result bothers on the ambiguous clauses in the 1913 treaty that formed the basis of ICJ's ruling. In October 1970, a Joint Committee of experts from Nigeria and

Cameroun met in Lagos, Nigeria on the Bakassi Peninsula. The meeting did not agree on a precise definition of the "navigable channel" of the *Akwayefe* river up to where it joins the Calabar estuary as there was no Admiralty map that expressly delineated the navigable channel of the Akwayefe. Omoigui, (2012), Omoigui went further to state that the Nigerian delegation argued that the navigable channel of Akwayefe river had to be seen to lie wholly east of the channel of the Calabar and Cross River as was stated in the 1913 treaty. Earlier, Prescott (1971) who was a surveyor at the Federal Surveys in Nigeria and later a lecturer in Geography at the University of Ibadan from 1956 - 1961, and now Professor Emeritus at University of Melbourne in Australia predicted that there will be considerable difficulty in determining the navigable channel of the Nigerian-Cameroonian maritime boundary in accordance with the 1913 treaty. This prediction came to pass in 2002 as the Anglo-German treaty of 1913 "vaguely" defined the border between Nigeria and Cameroun. It is for this reason that the ICJ should have not unduly relied on it (1913 treaty). The implication is very weighty for Nigeria. Commenting on the implications, Fatile and Adejuwa (2012) wrote:

Nigerian government issued a statement rejecting the verdict of the ICJ. Yet, following negotiations between the two countries, facilitated by the UN and crowned by June 2006 Green-tree Agreement in New York and subsequent instruments, Nigeria completed the withdrawal of its military, administration and police from Bakassi Peninsula in August 2008... However, it will be naive to conclude that the issue has been neatly resolved...

By the ICJ verdict, Nigeria has lost entrance to the Calabar port to Cameroun. This is because the entrance to the Calabar port lies in the Calabar channel that now belongs to Cameroun. The effect of this is the danger on the multi-billion dollar Export Processing Zone (EPZ). This is because the Calabar EPZ depends largely on the import-export activities of companies operating in the zone, and Nigeria will have to pay charges.

Pratt (2006) has identified the security or strategic implications for the Nigerian state.

The victory of Cameroon has made Nigeria lose its eastern access to the Atlantic Ocean. This implies that without Cameroun's approval, Nigeria's naval ships cannot move freely to Southern Africa. The social implication of the ruling are equally weighty as Nigerians, who have lived in Bakassi and the 33 villages in Lake Chad area all their lives will now face the reality of relocating as displaced persons to new environments in Cross River, AkwaIbom and Bayelsa states. Most of them had their businesses located there and now detached from their source of income.

For Cameroun, the judgement is not only a boost to President Biya's government but it assured them of the importance of UN in handling international issues. The only problem left now is for Cameroonian government to integrate the people of Bakassi into the system and work hard to bring about sustainable development.

The results and implications of the study clearly demonstrate that ICJ judgment has not "actually removed the threat to peace in the sub-region, and as such the case should be re-opened for two reasons;

- i. **Consideration of Additional Treaties :-** As previously stated, two treaties i.e. 1913 and 1931 are insufficient to form the basis for ruling in favour of Cameroun in the dispute. Nigeria should, therefore, persuade the ICJ to consider the entire 8 colonial treaties on the disputed territories as there is no clear reason why ICJ refused to recognize, especially, the treaties of 1842, 1847, 1881, 1884 and 1961 that fixed the territorial boundary at *Rio Del Rey*.
- ii. **Referendum :-** The ruling did not also take into account the affectivities, settlement pattern, and input of the indigenous communities living in the Peninsula and Lake Chad areas. The position of the native people in matters of international boundary dispute usually ranks uppermost as in the recent case of Southern Sudan in 2012. Thus, there should be a referendum in which they would be the deciding factor, the demand for

referendum is in line with both the USA position on the Israeli-Palestinian conflict and international best practice.

2.2.9 Implications of the ICJ Ruling and the Green-Tree Agreement

i. Ruling of the ICJ and Difficulties in Implementation

Cameroon tabled its border dispute with Nigeria before the ICJ in 1994 following the occupation of the Bakassi territory by the Nigerian troops on 12 December 1993. Cameroon anchored its claim over the ownership of Bakassi on the Anglo-German Treaty of 11 March 1913 when both territories now called Cameroon and Nigeria were under colonial rule. Nigeria tried unsuccessfully to challenge the legal basis of the 1913 Treaty, arguing that the two colonial masters had no *locus standi* to cede territories and that the agreement was not ratified by any of the parliaments of the two nations. Nigeria also unsuccessfully maintained that the alleged ceding of the Peninsula by Gowon was not endorsed by the Supreme Military Council, which was the law-making body of the country at the time (Aghemelo and Ibhasebhor 2006).

On 10 October 2002, after eight years of deliberations, the ICJ at The Hague decided that Cameroon had sovereignty over Bakassi, basing its decision on old colonial documents (Lacey and Banerjee 2002). The boundaries in the Lake Chad region were determined by the Thomson-Marchand Declarations of 1929-1930 and the boundary in Bakassi was determined by the Anglo-German Treaty of 11 March 1913. The Court requested Nigeria to quickly and unconditionally withdraw her administration, police and military from the area of Lake Chad under Cameroonian sovereignty and from the Bakassi Peninsula. The ICJ equally requested Cameroon to expeditiously and without condition remove any administration or military or police forces which may be present along the Said boundary from Lake Chad to the Bakassi Peninsula on territories which,

pursuant to the judgment, fall within the sovereignty of Nigeria.

The Court fixed the land boundaries from Lake Chad in the north to Bakassi in the south. However, the Court did not specify a definite location off the coast of Equatorial Guinea where the maritime boundary between the two countries would terminate (Bekker 2003). The immediate reaction was that Nigeria rejected the ruling, and at one point it seemed possible that the dispute Francis MenjoBaye would flare into open war, but UN mediation brought the two sides to the table (Friends of the Earth 2003; Sango 2002).

When it became difficult to implement the ICJ ruling, the UN Secretary-General formed the Cameroon-Nigeria Mixed Commission on the request of both leaders. The Mixed Commission first demarcated the land boundaries. The development of projects to promote joint economic ventures and cross-border cooperation monitored by the Mixed Commission included the construction of border markets and roads linking the two countries.

ii. The Green-Tree Agreement

Following intense diplomatic offensives and the good office of the UN Secretary-General, Cameroon was able to secure the Green-tree Agreement with Nigeria on June 12, 2006, brokered by the UN Secretary-General and witnessed by Britain, France, Germany, and the United States.¹⁰ Under the Agreement, the Nigerian troops were to withdraw within a maximum of ninety days and a transition period of two years was given for the Nigerian administration to be replaced by the Cameroonian administration, Nigerians living in the Peninsula would be able to remain there under a special regime for four years after Cameroon takes full control and could stay on after that if they so wish.

According to the then Nigerian President Olusegun Obasanjo, the Green-tree Agreement was a great achievement in conflict prevention, which practically reflected its

cost-effectiveness when compared with the alternative of conflict resolution. He urged that it should represent a model for the resolution of similar conflicts in Africa and the world at large. Moreover, President Obasanjo had played a leading role in conflict resolution among African states. His refusal to respect the ICJ verdict would have left an unfavourable spot on his record. Meanwhile, his decision to respect the ICJ verdict and withdraw Nigerian military forces from Bakassi met with strong opposition from some radicals, who felt that Nigeria's military might should be used for expansionist ambitions. In the same spirit with President Obasanjo, President Paul Biya underscored the importance of respecting the ICJ ruling, arguing that their personal credibility and that of the UN depended greatly on its implementation and that it will begin a new era of trust, peace and cooperation between Cameroon and Nigeria.

On 14 August 2006, the Nigerian troops, in a solemn ceremony, peacefully withdrew from the Bakassi Peninsula, marking the climax of a long and meandering peace process that spanned a period of 12 years. The effective withdrawal of Nigerian forces from Bakassi is an indication that it is possible for African nations who find themselves in conflict over territorial rights and other issues to resolve the matter amicably thus avoiding carnage, blood-shed, socio-economic and political dislocations, which many post-independent African countries have suffered. Other things being equal, the Green-tree Agreement and the various stages that led up to the handing over is a model for the peaceful settlement of disputes in Africa. The entire process was graced by the Treaty of Calabar between Cameroon and Nigeria on 14 August 2008 that marked the complete withdrawal of the Nigerian administration and police as stipulated in the Green-tree Agreement.

2.2.10 How International Court of Justice (ICJ) Resolved the Bakassi Conflict

On the 10th of October, 2002, the court intervened and delivered its judgment in the case

concerning the land and Maritime Boundary dispute between Cameroon and Nigeria, Equatorial Guinea intervening Anekwe, (2002). In its Judgment, which was final and binding on the Parties, the Court determines the course of the boundary, from North to South, between Cameroun and Nigeria. In the Lake Chad area, the Court: decides that the boundary is delimited by the Thomson-Marchand Declaration of 1929-1930, as incorporated in the Henderson - Fleuriau Exchange of Notes of 1931 (between Great Britain and France), it finds that the boundary starts in the lake from the Cameroun-Nigeria Chad tri-point whose co-ordinates it defines) and follows a straight line to the mouth of the River Ebeji as it was in 1931 (whose co-ordinates it also defines) and thence runs in a straight line to between Lake Chad and the Bakassi Peninsula, the Court decides that the boundary is delineated by the following instruments. From the point where the River Ebeji bifurcates, as far as Tamayar Peak, by the Thomson- Marchand Declaration of 1929-1930, as incorporated in the Henderson- Fleuriau Exchange of Notes of 1931. From Tamnyar Peak to pillar 64 referred to in Article XII of the Anglo-German Agreement of 12th April 1913, by the British Order in Council of 2th August 1946. From pillar 64 to the Bakassi Peninsula, by the Anglo-German Agreements of 11th March and 12th April 1913 (ICJ Report, 2002).

In Bakassi, the Court decides that the boundary is delimited by the Anglo-German Agreement of 11th March 1913 and that sovereignty over the Bakassi Peninsula lies with Cameroun. It decides that in this area the boundary follows the mouth of the River Akpakorum (Akwayofe), dividing the Mangrove Islands near Ikang as far as a straight line joining Bakassi Point and King Point (ICJ Report, 2002).

As regards the maritime boundary, the Court, having established that it has jurisdiction to address this aspect of the case - which Nigeria had disputed - fixes the course of the

boundary between the two States' maritime areas Anekwe, (2002). In paragraphs 314, 315 and 316 of its Judgment, the Court requested Nigeria to expeditiously and without condition withdraw its administration and its military and police forces from that area of Lake Chad which falls within Cameroun's sovereignty and from the Bakassi Peninsula. The Court further decided that Cameroun: is under an obligation military or police forces which may be present in areas along the land boundary from Lake Chad to the Bakassi Peninsula which pursuant to the Judgment fall within the sovereignty of Nigeria. Nigeria has the same obligation in regard to any administration or military or police forces which may be present in areas along the land boundary from Lake Chad to the Bakassi Peninsula which pursuant to the present Judgment fall within the sovereignty of Cameroun. The Court takes note of Cameroun's undertaking, given at the hearings, to continue to afford protection to Nigerians living in the Bakassi peninsula and in the Lake Chad area.

The ICJ judgment raises a number of important issues. One, two competing perspectives of sovereignty were revealed- one historical (Nigeria's) and one Western in origin (Cameroon's). The fact that the ICJ relied on 'Cameroun's conventional titles' indicates that they gave precedence to contemporary Western constructions of the notions of boundaries and sovereignty to the detriment of the historical consolidation argument put forward by the Nigerian government. The argument of the Nigerian government turned on practice as opposed to theory, a perspective that privileged the Bakassi indigenous population. However, in the reasoning of its Judgment, the Court further noted that the implementation of the Judgment would afford the Parties a beneficial opportunity to co-operate in the interests of the populations concerned, in order notably to enable them to continue to have access to educational and health services comparable to those they currently enjoy. Such co-operation, the Court added,

would be especially helpful, with a view to maintaining security, during the withdrawal of the Nigerian administration and military and police forces (Anekwe, 2002).

2.2.11 The Crude Oil Discovered is the Major Interest of Bakassi Conflict

Although the conflict between Cameroon and Nigeria in the Bakassi peninsula is generated by the discovery of oil and natural resources, it is equally a problem of land allocation, underdevelopment and more so the effects that governance has on national identity. The conflict itself lies in the fact that the people of Bakassi live in an area disputed by Cameroon to be theirs but claimed by Nigeria for decades.

Whatever the case, the oil-rich peninsula is highly valuable to each country to the extent that both countries have come to the brink of war several times over its ownership.

On May 15th 1981, it was broadcasted over Cameroon radio news that a Nigerian military patrol army violated the Cameroon's national territory by infiltrating the Peninsula and opened fired on the Cameroon army. When this happened, the Cameroonian army fired back and killed 5 Nigerians soldiers. These pockets of fights continued and in 1992-1993, reports have it that Cameroonian gendarmes openly killed some Nigerian civilians in Cameroon.

In 1992-1993, the Cameroon government continued with aggression against Nigerians by openly killing some Nigerian civilians in Cameroon during the time when Anglophones demanded their autonomy from the Francophonie's. At this time, some Nigerians were even ousted from Cameroon as the harassing tax-drives went on.

From January of 1994 to May of 1996, border clashes between Cameroon military personal and the Nigeria military continued to occur, this time on a more serious manner. By the 6th of May 1996, diplomatic representations reported that over fifty

Nigerian soldiers had been killed and some taken to prisons in Cameroon, Although Nigeria is much bigger in population and military size, it is said that Cameroon did not have any casualties in the battle. (NY Time, May 1996).

On the 3rd of February 1996 tension escalated within the national territory in Cameroon and spread to the peninsula, The reason for this conflict was because Southern Cameroonians got tired of French Cameroonian domination and started requesting for a return to the federal system of government or sovereignty if federation failed. This request was made because Southern Cameroonians realized that the terms of the plebiscite were not respected by the French majority. As Southern Cameroonians tabled demands for autonomy and a respect of the federal constitution, conflict of interest over Bakassi was building between French Cameroon and English Cameroon as English Cameroon viewed Bakassi as it own due to its geographic location Mbuh Muluh (2004). It should be mention that from 1919-1958, Southern Cameroon was jointly administered with Nigeria and Bakassi was located in the Southern Cameroonian region. For this reason, Nigeria rejected any calls from French Cameroon that she should leave the peninsula thus leading to conflict between Nigeria and French Cameroon as French Cameroon protected Bakassi as part of the federation. It is even registered that as recent as June 21st 2005, tension continued to mount in Bakassi and this time Nigerian troops fired rocket - propelled grenades at a Cameroon security posts, killing one Cameroonian soldier (UN report, June 23 2005).

Judgment on the disputed oil-rich Bakassi peninsula conflict in favor of Cameroon. The court's decision was based on old colonial documents. *The* boundaries in the Lake Chad region were determined by the Thomson - Marchand Declaration of 1929-1930 and the boundary in Bakassi determined by the Anglo-German agreement of

11 March 1913. With this settlement, Nigeria was supposed to quickly and unconditionally withdraw its administration; police and military from the area of Lake Chad under Cameroonian sovereignty and from the Bakassi Peninsula. Cameroon on its part was supposed to remove its citizens from anywhere on the new border between the two countries and the land boundary from Lake Chad in the north to Bakassi in the South was demarcated and signed by both countries, (Bekker, (2003).

Weeks before the ICJ ruling, Kofi Annan the then Secretary General of the UN invited Presidents Paul Biya of Cameroon and Olusegun Obasanjo of Nigeria to meet with him on 5th September 2002 in Paris, During the meeting, the ICJ verdict was released to the two presidents and they agreed to respect the anticipated decision, and also to establish an implementation mechanism. After the ICJ judgment, the Secretary General facilitated the formation of the Cameroon-Nigeria Mixed Commission which was to enable a smooth handing over ceremony.

The Mixed Commission did their home work on the handing over logistics and a few years later on 12 June 2006, the two parties concluded the "Green Tree Agreement." and the handing over ceremony was done in front of UN officials and diplomats from numerous countries. The Implications of the Judgment. From the Cameroonian perspective, this judgment was not only a boost to the Biya regime but it assured the general population of the importance of the United Nations as an organization that handles international issues. The only problem left now is for the Cameroonian government to integrate the people of Bakassi into the system and work hard to bring development in the region so that they do not feel isolated. It will also be the wish of the general population that the government should start the exploitation of oil from Bakassi so as to rescue the country from economic crisis

and the impoverishment that has come to slow growth and in some cases bring death to many.

From the Nigerian perspective, this declaration meant many things. Firstly, the social implication is that Nigerians, who have lived in Bakassi all their lives, would have to face the sad reality of having to evacuate a region that is part and parcel of them, thus losing not only their cultural connection but also their source of livelihood and resources. Politically, the decision made the Nigerian government seem weak and unable to solve the problems of the citizens. Economically, the decision could mean that oil companies had to leave the area and relinquish the oil wells to the Cameroonians, thus crumbling the Nigerian economy. Although negative implications could easily be seen from the Nigerian perspective, cooperating with the decision could bring Nigeria respect in National politics as a promoter of world peace and it could also be a diplomatic strategy to lobby Nigerians acceptance as a member of the UN security council. Accompanied by Nigeria, in 1962 accepting the result of the plebiscite.

2.3 Theoretical Framework

This research work has been able to study the following theories such as realism, Idealism, frustration and aggression, Marxist, system theory, functionalism, neo-functionalism etc. On the process of reviewing literatures and theories relating to the topic of the study. At the end, the researcher has adopted the theories of Marxist theory as the best model to explain the topic under view.

However, it is important to recognize that Marx viewed the structure of society, which is purely based on conflict in relation to its major classes, and the struggle between them as the engine of change in this structure. Conflict was not deviational within society's structure, nor were classes' functional elements maintaining the system. The

structure itself was a derivative of an ingredient in the struggle of classes. His was a conflict view of modern society.

The key to understanding the view on conflict class is seen as Marx in his class definition. A class is by the ownership of property. Such ownership vests a person with the power to exclude others from the property and to use it for personal purposes. In relation to property there are three great classes of society: the bourgeoisie (who own the means of production such as machinery and factory buildings, and whose source of income is profit), landowners (whose income is rent), and the proletariat (who own their labour and sell it for a wage).

As Marx sees the development of class conflict, the struggle between classes was initially confined to individual factories. Eventually, given the maturing of capitalism, the growing disparity between life conditions of bourgeoisie and proletariat, and the increasing homogenization within each class, individual struggles become generalized to coalitions across factories, increasingly class conflict is manifested at the societal level. Class-consciousness is increased, common interests and policies are organized, and the use of struggle for political power occurs. Classes become political forces.

The distribution of political power is determined by power over production (i.e., capital). Capital confers political power, which the bourgeois class uses to legitimize and protect their property and consequent social relations. Class relations are political, and in the mature capitalist society, the state's business is that of the bourgeoisie. Moreover, the intellectual basis of state rule, the ideas justifying the use of state power and its distribution, are those of the ruling class. The intellectual-social culture is merely a superstructure resting on the relation of production, on ownership of the means of production.

Karl Marx argued that property is upheld by the state, making property struggles into

political struggles between owners and renters, capitalists and workers, and other groups. Material conditions determine the ability of any of these groups to organize effectively politically. These materials conditions are also, what enable one group to propagate their views to others in society. Because the owners clearly have an advantage in material wealth, their views are spread more easily.

For Marx, the conflict clearly arises because all things of value to man result from human labour. According to Marx, capitalists exploit workers for their labour and do not share the fruits of these labours equally. This exploitation is what allows the owing classes to dominate politically and to impose their ideology on the workers of the world. Conflict theory offers a useful lens with which to analyses society. One might use this theory to explain the enmity between nations rich and poor within any given society. This enmity could be expressed emotionally, verbally, physically, peacefully or violently. Applying the theory to nation's conflicts is possible. Events such as the "Battle in Settle" over border disputes especially in Africa e.g. Eritrea and Kenya, Nigeria and Cameroon. Conflict theory can also be used to explain non-economic conflicts within a given society. One might look at the conflict between Nigerian and Cameroun as a battle over border turbulence.

2.3.1 Gaps in the Literature

- i. Significant attention has been devoted to the role of ethnicity and ethnic tension as cause of conflict and a key feature of new wars. Recent example include Rwande, Brundi and Balkan wars. Ethnic conflict refers to war between groups or in which ethnic differences is central of the conflict (Smith 2004). This includes identity conflicts where warring parties group claim power because of a particular identity such as clan (South Sudan, Somalia, Nigeria, the Philippines) or religion, language etc.

- ii. Fostering feelings of empathy is another potential conflict resolution strategy (Cohen and Insko, 2008). Individual feel empathy for other individuals are likely to behave aggressively toward them and are more likely to behave prosaically and cooperatively. Although empathy for opposing group is sometime difficulty to generate, it can be helpful for reducing conflict. One way to promote empathy for opposing group is through contact. Example, the Tamils and the Sinhalese in Sri Lanka have revealed the empathy relations between groups with long history of war.
- iii. lack of effective treaty from the former colonial powers who failed to provide lasting solution to end the border conflict between Nigeria and Cameroon. The study discusses the causes and impact of the Cameroon and Nigeria border conflict, while effectives treaty are useful in resolving conflict, effective treaty also were variable are so imperative to resolve any kind of conflict especially conflict of this nature, Nigeria-Cameroon.

2.3.2 The Relevance of the Theory to the Study

This study examines the relevance of Marxist application of the theory in contemporary society. There is place for an actual application of communities but rather that Marxist proposition about justices and equality should find application in improving the existing society to determine the value of Marxist as political theory and political science in the 21st Century.

Marxist is commonly understood as an economic and social system based upon the theory of Karl Marx and Fredrick Engels. It serve as a critique of the development of capitalism and could be summed up as a theory that analyses the effect of capitalism on labour by introducing a fair distribution of factors for production and proposing class struggle as a central element in the analysis of social changes in western societies. The actual application of Marxist did not last for long in world history and it is claimed by

many that with collapse of the Soviet Union, the era of Marxist ended and the theory is now obsolete Kellner (1995). of course, with Cuba, North Korea and to some extent also China, there still exists as example of communist nations.

However, it seems questionable whether Marx actually considered these communistic, the collapse of the USSR in 1990 meant for the first time that communism was an issue that does not need to be discussed further, since it had obviously failed. Thus, one might ask question whether it is possible that such theory that impaled history for quite sore time just disappears without lasting memories. The fact that the era of communism has come to an end in Eastern Europe was not much of a surprise, the system was oppressive, inefficient and essentially totalitarian Marge (1995). These obvious flaws in the system were not necessarily due to Marx's or later Stalin's theory.

Marx remained often very general in his explanation and projections, but the fall of the USSR showed also that the practical possibilities of Mar's thought were not at all fully exhausted and that there is still a possibility for a humanitarian socialistic system. It can be argued that, although capitalism has proven to be the dominant system for many decades, it has in no way resolved but rather displace fundamental problems and tension of our society. In this respect, capitalism has succeeded in producing and distributing over greater accounts of wealth to a considerably technological development.

However, it's seems doubtful today's that the level of inequality can be justified, capitalism as we know it today, appears to require an alternative theory. The ideas expressed by Marx might offer one alternative that is indeed more considerate to human right. Levin introduces four categories where Marxism can contribute to the fairer and more just society.

- i. Marx's theory on different classes within the society can provide valuable suggestions on how these classes can interrelate to form a whole and therefore demonstrate society's

functionality as one single.

- ii. The theory can help us consider the present in a long term perspective through Marx's historical sense, as well as understanding the inherent dynamic of a separate units.
- iii. Marxism can provide a theory of a society in accordance with the highest human idea to a very high extent.
- iv. Marxism can serve as a mode of analysis examining the relationship between ownership, power and social changes and thus illuminate a wider variety of social transformation than whatever is currently dominant (Levin, 2000)

Levin point some important concepts, such as the idea of society as a functioning body of several separate units. He argued that Marxism help to understand the dynamic of a society in its entity. This means with all its different classes and member, because Marx looks at the development from a historical perspective and can therefore identify the movements and preferences of that society. Furthermore, he point out his fourth argument that Marxism helps us examine different relationship in society from different perspectives without being restrained by current points of view. Considering these ideas it needs to be mentioned that Marx and Engel as the founder of Marxism were aware that socialism is not something that can be introduced easily, but rather class struggle and resolution form a vital part of the theory.

3.2.3 Weakness of the theory to the study

- i. Marx he fail to relate the situation of African countries especially in class struggle as the leading force for social changes/Marx he consider the capitalist society is not desirable and he considered for overthrowing the class of exploiters and establish the new of the exploited class the class of proletariat, according to this views of Marx he forget other classes of the society, most African countries do not have many industries so the group of industrial workers almost there is small number of industrial

workers,so how the socialist society may be established without leading force of industrial workers as per Marxism.

- ii. Marx (and most Marxists today) failed to take ecological sustainability into account. They are strong believers in industrial development and "progress", rising material "living standards" and economic growth. They think that capitalism is responsible for all problems and that when it has been eliminated we can release the previously restricted power of industry and eliminate waste to enrich everyone. In other words, Marxism has no concept of "limits to growth". Affluence and economic growth are regarded as desirable and possible. .
- iii. Capital is crucial for development. He dismissed peasant ways and Marxists are not sympathetic to the notion of "appropriate development" conceived mainly in terms of "subsistence" and low/intermediate technology and cooperative ways focused on local economic self-sufficiency, In other words advocates of The Simpler Way claim Marx was quite mistaken in thinking that socialism would not be possible without modern technology, industrialisation and material affluence. Achieving a good society does not require elaborate technology nor abundance. It depends on whether or not the right values are held. There have been societies, and there are societies today in which people live well with very humble material lifestyles and without modern technology
- iv. Marx's theory of social development, is contradicted by the fact that industrialised countries have not moved closer to revolution. The recent revolutions have been in peasant societies, such as Africa. Capitalist societies seem to have become more secure from threat of revolution throughout the 20th century. Many would say there are no theory of social development and that Marx was mistaken in thinking he had discovered the theory of social development, and in thinking that his theory was scientific.

- v Marxists fail to grasp the unacceptable dangers in their readiness to take an authoritarian-centralist approach. Marxists are willing to use the authoritarian state to run society after the revolution and to be ruthless in this. This is extremely dangerous; those in control can not be trusted and are very likely to become an entrenched dictatorship.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Research Design

Research design entails collection of information from across section of the population on defined subject matter within a given period of time through the use of questionnaire to assess thought opinion and feelings about subject of discussion (Lawrence, 2006). The design also describes the approach used in the selection of sample and choice through which survey administer the instrument. Survey represents one of the most common types of qualitative social sciences research. It is often used.

3.2 Population of the Study

The term population refers to the total number of the aggregate of concern which by virtue of the common characteristics. It may lead to the gathering of the relevant information. The research population in this study is interlined by the number of government and private organizations that are fully involved in the study. Therefore, the population of this study is inclusive of Nigerian Labour Congress 1634, Ministry of Justice 428, Ministry of Defense 408, Institute of Peace and Conflict Resolution 167, Cameroon Embassy 25, Ministry of Foreign Affairs 1798 and National Adjustment Boundary Commission 155. These are targeted population was chosen because there are major stake and mostly related to the study.

The Population of the Study

S/N	Selected Organizations	Population of Staff in the Organizations
1	Nigeria Labour Congress	1634
2	Ministry of Justice	428
3	Institute of Peace & Conflict Resolution	167
4	Cameroon Embassy	25
5	Ministry of Foreign Affairs	1798
6	Ministry of Defense	408
7.	National Boundary Adjustment Commission	155
	Total	4609

Field Work September, 2018

1.3 Sample Size/Sample Technique

A sample size is a group of items taken from the population so that the need information can be obtained for the purpose of analysis. As can be expected the question of how large a sample must be, to be considered adequately. However, Osuala (1999) states that three factors determine size of an adequate sample (i) nature of the sample (ii) types of sample design and (iii) degree of precision desired. Having regards to the characteristics of the research population and considering the size of population of the entire organization where respondents are to be drawn.

Therefore, in selecting the sample size, the study is adopted determination formula in social sciences propounded by Taro Yamane (1967) thus

When N is the sample size, N is the population size and e is the level of precision $(0.5)^2$ thus the total population and sixty people based on the selected organization, applying the fomular above the sample size is determined as thus:

$$\frac{N}{1 + (0.5)^2} = n$$

$$\frac{n = 4609}{1 + 4610 (0.5)^2}$$

$$n = \frac{4609}{1 + 4610 (0.25)}$$

$$n = \frac{4609}{1 + 4610 \times 0.25}$$

$$n = \frac{4609}{1153.5}$$

$$n = 399.5665366$$

Therefore, **(400)** is a sample size of the study.

Selected Organizations and Questionnaires Distributed

1.	Nigeria Labour Congress	<u>1634 x 400</u> 4609 = 141.8
2.	Ministry of Justice	<u>428 x 400</u> 4609 = 37.1
3.	Institute of Peace and Conflict Resolution	<u>167 x 400</u> 4609 = 14.4
4.	Cameroon Embassy	<u>25x 400</u> 4609 = 2.1
5.	Ministry of Foreign Affairs	<u>1798 x 400</u> 4609 = 156.0
6.	Ministry of Defense	<u>408x 400</u> 4609 = 35.4
7.	Nigeria Boundary Adjustment Commission	<u>155 x 400</u> 4609 = 13.4
8.	Total	400
<i>Field Work September, 2018</i>		

The Sample Population for the Questionnaire Distributed

S/N	Selected Organizations	Sample Size and Questionnaires Retrieved
1	Nigeria Labour Congress	102
2	Ministry of Justice	31
3	Institute of Peace & Conflict Resolution	12
4	Cameroon Embassy	2
5	Ministry of Foreign Affairs	114
6	Ministry of Defense	31
7	National Boundary Adjustment Commission	13
	Total	305

Field Work September, 2018

The table above indicated that the total number of the sample size is four hundred (400) were chosen as the sample of the stud. The justification of the sample size is that the size the organizations was reflected or chosen, hence, purposing selected by the respondents on the resolution of conflict in Bakassi Pennisula. It is believed that in so doing, the sample selection exercise must have included all the vital segment of the organization are targeted.

A sample technique is a sub-set of the population that is being deducted to represent the large number of respondents under investigation with the sole aim of making generalization at the end. Obasi (1999), therefore the sample size of this study is Four Hundred (400) respondents. The techniques use for sample of the respondents was a purposive sampling techniques. Four hundred (400) questionnaires were administered to the diplomats and other selected organization, only (305) three hundred and five questionnaires successfully filled and return thereby used for the analysis.

3.4 Methods of Data Collection

Basically there are main two sources of data collection in this study both primary and secondary sources of data were used.

- i. Primary Method of Data Collection:-** This involve the collection of data by the use of questionnaires interview, field survey etc. for the purpose of this study questionnaires were distributed to the research respondents that were purposively sampled from general population of the constituted from Nigeria Labour Congress, Ministry of Justice, Ministry of Defiance, Institute of Peace and Conflict Resolution, Cameroon Embassy, Ministry of Foreign Affairs, Abuja and National Boundary Adjustment Commission.
- ii. Secondary Method of Data Collection:-** Data were collected from document materials such as textbooks, journals, pamphlets, newspapers, magazines, publications, symposium, internet materials and other related documents.
 - a. Questionnaire:-** The study employed the use of structural questionnaire obtained from the population sampled in support of the study questionnaire were designed according to “Liker Pattern” Yes or No and Don’t Know responses.

3.5. Justification of Methods

The instrumentation used in this research was closed-ended structured questionnaire. A questionnaire is an organized collection of questions intended to solicit data from respondents which could be on telephones, mails, face to face, etc.

Questionnaires are best suited for standardized questions, this is to ensure uniformity of questions, which should be interpreted in the same way we all responded. Adeoti (2010), the questions is made of (two) sections: A and B. section A captures the social demographic variables of the respondents and section B is the questions based on the variables of the study. Thereby, it is twenty seven (27) items contained in the

questions.

3.7 Technique of Data Analysis.

The analysis of data requires a task of analyzing related operation such as establishment of categories to raw data through coding, tabulation and then drawing statistical inferences.

However, the topic under discussion descriptive and inferential statistic methods were used throughout in the data analysis of both primary and secondary data obtained. The qualitative data from the questionnaires were subjected to the analysis using the statistical package for social sciences. (SPSS version 20 and e-views) the same process was used by (Heoge and Maltery, 2001).

The descriptive statistics include the frequency and percentages table to describe the social demographic variable of the respondents for the study. The inferential statistics were used in the study include cross tabulation and simple percentages.

CHAPTER FOUR

4.1 DATA PRESENTATION AND ANALYSIS

As stated in the preceding (chapter four) while the data obtained from field survey would be descriptively presented through the use of the simple percentages and statistical method. The data analysis would also be anchored on the raw data through coding, tabulation and finally drawing statistical inferences.

Table 1: Age Distribution of the Respondents

Age	Frequency	Percentage
18-25	10	3.27
26-39	90	29.5
40-59	15	4.91
60 and above	190	62.26
Total	305	100.0%

Field Work September, 2018

Table 1 shows that 10 respondents representing (3.27%) are within the ages of 18-25. 90 respondents representing (29.5%) are within the ages of 26-39. 15 respondents representing (4.91%) are within the ages of 40-59, and 190 respondents representing (62.26%) are within the ages of 60 and above.

Table 2: Marital Status Distributions of the Respondents

Marital status	Frequency	Percentage
Single	100	32.7
Married	150	49.1
Divorce	40	13.1
Widower	15	4.91
TOTAL	305	100.0%

Field Work September, 2018

Table 2, indicates that 100 respondents representing (32.7%) are single while 15 respondents representing (4.9%) are widower. The respondents who are married on the other hand have 150 frequency distribution and percentage of (49.1) while the respondents who are divorced have 40 frequencies and (31.1%) in the study.

Table 3: Sex Frequency Distributions of the Respondents

Sex	Frequency	Percentage
Male	155	50.8
Female	150	49.1
Total	305	100.0%

Field Work September, 2018

Table 3, shows the sex frequency and percentage distribution of the respondents; it indicates that male in the study participated higher based on the frequency and percentage of 155 (50.8%) out of 305 while the remaining 150 (49.1%) respondents are female.

Table 4: Religious Distribution of the Respondents

Religion	Frequency	Percentage
Christianity	200	65.5
Islam	100	32.7
Traditional	5	1.6
Others	0	0
Total	305	100.0%

Field Work September, 2018

Table 4, indicated in that 200 respondents representing (65.5%) that filled the questionnaire are of the Christian religion, while a whopping 100 respondents representing (32.7%) are Muslims and on 5 respondents representing (6.5%) are of the traditional religion.

Table 5: Occupation Distribution of the Respondents

Occupation	Frequency	Percentage
Civil Servant	85	27.8
Diplomat	20	6.55
Trade Union	20	6.55
Civil Society	180	50.0
Total	305	100.0%

Field Work September, 2018

Table 5, shows that 85 respondents representing (27.8%) that filled the questionnaire are Civil Servants; 20 other respondents representing (6.5%) of the total sample are Diplomat. In the same breath, 20 respondents (6.5%) are Trade Unionists while the remaining 180 respondents representing (50%) are Civil Society Organization.

Table 6: Educational Level of the Respondents

Educational Level	Frequency	Percentage
Primary	0	0
Secondary	0	0
Tertiary	305	100
Others	0	0
Total	305	100.0%

Field Work September, 2018

Table 6, indicates the respondents educational background, showing that those respondents who attended primary have 0 member of respondents with (0%) and secondary to have 0 members with the percentage of (0%), while tertiary institutions to have 305 respondents with percentage of (100%). Others on the other hand have 0 members with the percentage of (0%).

Table 7: Nationality of the Respondents

Nationality	Frequency	Percentage
Nigeria	305	100
Others	0	0
Total	305	100.0%

Field Work September, 2018

Table 7, shows the nationality of respondents, Non Nigeria have 0 members with the percentage of (0%); while Nigerians have the frequency of 305 and percentage of (100%).

Table 8: Do you think UN played any significant roles in resolving the Bakassi Conflict between Nigeria and Cameroon?

Response	Frequency	Percentage
Yes	200	65.5
No	100	32.7
Don't Know	5	1.63
Total	305	100.0%

Field Work September, 2018

Table 8, indicates that 200 respondents (65.5%) said Yes to the fact that the UN played a significant role in resolving the Bakassi conflict between Nigeria and Cameroon. Meanwhile, 100 of the respondents representing (32.7%) said No to the above claim. On the other hand, 5 respondents, representing (6.5%) were unsure of the situation.

Table 9: Do you agree that the former colonial power were the main causes of Bakassi Peninsula conflicts?

Responses	Frequency	Percentage
Yes	100	32.7
No	200	65.5
Don't Know	5	1.6
Total	305	100.0%

Field Work September, 2018

Table 9, indicates that 100 respondents (32.7%) agree that the former colonial powers were the main causes of Bakassi conflicts while 200 respondents representing (65.5%) said No to that assertion and 5 respondents representing (1.6%) said they don't know.

Table 10: Do you think that the judgments of International Court of Justice (ICJ) on Bakassi conflict in favour of Cameroon can bring peace between the two nations?

Responses	Frequency	Percentage
Yes	180	59
No	80	26.2
Don't Know	25	8.1
Total	305	100.0%

Field Work September, 2018

Table 10, shows that 180 respondents representing (59%) believe that the judgment of ICJ on Bakassi conflict in favour of Cameroon can bring peace between the two nations. 80 respondents (26.2%) however, do not agree with that assertion. Finally, 25 respondents representing (81%) claim they don't know.

Table 11: Do you believe that the discovery of oil in Bakassi Peninsula is the major interest of both two countries?

Responses	Frequency	Percentage
Yes	300	98.3
No	5	1.6
Don't Know	0	0
Total	305	100.0%

Field Work September, 2018

Table 11, shows that 300 respondents represent (98.3%) believe that the discovery of oil in Bakassi Peninsula is the major interest of both two countries. While 5 respondents representing (1.6%) believe otherwise. And 0 members representing (0%) said, don't know.

Table 12: Do you agree that colonialism was the major factor which caused conflict in African states?

Responses	Frequency	Percentage
Yes	50	16.3
No	30	9.8
Don't Know	225	73.7
Total	305	100.0%

Field Work September, 2018

Table 12, shows that 50 respondents representing (16.3%) agreed that colonialism was the major factor which caused conflict in African states and 30 respondents representing (9.8%) disagreed with that claim. While 225 respondents representing (73.7%) said, don't know.

Table 13: Do you think that lack of credible treaties by the former colonial powers was the major causes of Bakassi conflict?

Responses	Frequency	Percentage
Yes	305	67.2
No	80	26.2
Don't Know	20	6.5
Total	305	100.0%

Field Work September, 2018

Table 13, indicates that lack of credible treaties by the former colonial power believes by 205 respondents representing (67.2%) to be the major causes of Bakassi conflict. But 80 respondents representing (26.2%) disbelieve that claim. Still yet, 20 respondents representing (6.5%) said, don't know.

Table 14: Do you believe that dialogue and mediation are the best ways to resolve conflict?

Response	Frequency	Percentage
Yes	300	98.3
No	5	1.6
Don't Know	0	0
Total	305	100.0%

Field Work September, 2018

Table 14 indicates that dialogue and mediation are believed to be the best ways to resolve conflict by 300 respondents representing (98.3%) and 5 respondents representing (1.6%) said No. While 0 members representing (0%) said, don't know.

Table 15: Do you believe that bilateral diplomacy relations between Nigeria and Cameroon helped in resolving the border conflict?

Responses	Frequency	Percentage
Yes	205	67.2
No	20	6.5
Don't Know	80	26.2
Total	305	100.0%

Field Work September, 2018

Table 15 shows that 205 respondents representing (67.2%) agreed that bilateral diplomacy relations between Nigeria and Cameroon helped in resolving the border conflict while 20 respondents representing (6.5%) said No to that claim. But 80 respondents representing (26.2%) claimed, don't know.

Table 16: Do you think violence is the best option to resolve conflict?

Responses	Frequency	Percentage
Yes	0	0
No	300	98.3
Don't Know	5	1.6
Total	305	100.0%

Field Work September, 2018

Table 16 indicates that 300 respondents representing (98.3%) said violence is not the best option to resolve conflict, and 0 members representing (0%) said Yes And 5 respondents representing (1.6%) on the other hand claim they don't know.

Table 17: Do you agree that the agitators leaving in Bakassi Peninsula cannot respect the International Court of Justice (ICJ) judgement?

Response	Frequency	Percentage
Yes	20	6.5
No	20	6.5
Don't Know	265	86.8
Total	305	100.0%

Field Work September, 2018

Table 17, shows that 20 respondents representing (6.5%) agreed that the agitators leaving in Bakassi Peninsula cannot respect the ICJ judgment. And 20 respondents representing (6.5%) however said No to that statement. While 265 respondents representing (86.8%) on the hand said, don't know.

Table 18: Do you think Nigerians can accept the International Court of Justice (ICJ) judgement against Nigeria?

Responses	Frequency	Percentage
Yes	25	8.1
No	20	6.5
Don't Know	260	85.2
Total	305	100.0%

Field Work September, 2018

Table 18, shows that 25 respondents representing (8.1%) said Yes to the thought that Nigerians can accept ICJ judgement. And 20 respondents representing (8.1%) said No to that claimed while 260 respondents representing (85.2%) said they don't know.

Table 19: Do you agree Cameroon government connived with the International court of Justice (ICJ) judges and passed the judgment against Nigeria?

Responses	Frequency	Percentage
Yes	20	6.5
No	20	6.5
Don't Know	265	86.8
Total	305	100.0%

Field Work September, 2018

Table 19, indicates that 20 respondents representing (6.5%) agreed that Cameroon government connived with the ICJ judges and passed the judgment against Nigeria. At the same rate, 20 respondents representing (6.5%) said No to that claimed. While 265 respondents representing (86.8%) said, don't know.

Table 20: Do you believe that AU/ECOWAS played roles in resolving conflict in Bakassi Peninsula between Nigeria and Cameroon?

Responses	Frequency	Percentage
Yes	200	65.5
No	80	26.2
Don't Know	25	8.1
Total	305	100.0%

Field Work September, 2018

Table 20 shows that 200 respondents representing (65.5%) believed that AU/ECOWAS played significant roles in resolving conflicts in Bakassi Peninsula between Nigeria and Cameroon, and 80 respondents representing (26.2%) on the other hand said No to that claimed, while 25 respondents representing (8.1%) said, don't know.

Table 21: Do you believe that the international communities did not play any roles in resolving the Bakassi conflicts between Nigeria and Cameroon?

Responses	Frequency	Percentage
Yes	90	29.5
No	20	6.5
Don't Know	195	65.9
Total	305	100.0%

Field Work September, 2018

Table 21, indicates that 90 respondents representing (29.5%) believed that the international community did not play any roles in resolving the Bakassi conflicts between Nigeria and Cameroon. And 20 respondents representing (6.5%) said No to that position While 195 respondents representing (65.9%) said, don't know.

Table 22: What are the causes of boundary conflicts between Nigeria and Cameroon over Bakassi Peninsula?

Response	Frequency	Percentage
Oil Discovery	200	65.5
Protection of Territory	105	34.3
Total	305	100.0%

Field Work September, 2018

Table 22, shows that 200 respondents representing (65.5%) said oil discovery was the cause of boundary conflicts between Nigeria and Cameroon over Bakassi Peninsula while 105 respondents representing (34.3%) said it was for the sake of economic interest of both nations.

Table 23: Do you think international politics did not play any vital roles in resolving the Bakassi conflicts?

Responses	Frequency	Percentage
Yes	90	29.5
No	20	6.5
Don't Know	195	63.9
Total	305	100.0%

Field Work September, 2018

Table 23, proves that 90 respondents representing (29.5%) said Yes, that international politics played vital roles in resolving the Bakassi conflicts and 20 respondents representing (6.5%) said no. While 195 respondents representing (63.9%) said, don't know.

Table 24: What are the challenges at stakes presently in Bakassi Peninsula after the ICJ ruling?

Responses	Frequency	Percentage
Disagreement with ICJ Judgment	100	32.7
Unwillingness to Evacuate by Agitators	180	59.0
Slow Handover Process	25	8.1
Total	305	100.0%

Field Work September, 2018

Table 24, indicates that 100 respondents representing (32.7%) believe that part of the challenges currently at stake in Bakassi Peninsula is the disagreement with the ICJ's judgment by Nigerians. On the contrary, 180 respondents representing (59%) believe the basic challenge is the unwillingness of local agitators to evacuate the territory after ICJ's judgment. 25 respondents representing (8.1%) on the other hand are of the opinion that the challenges lies on the slow handover process of the territory among the aggrieved parties.

4.3 Discussion of the Findings

This chapter discusses the findings of the study, it gives answers to the research questions, objectives and propositions raised in chapter one and recited in the introductory part of this chapter. It offers to pair the questions raised at chapter one and findings on this chapter to establish a solid result for the study. Thus;

- i. Research Question One:* What is the cause of boundary conflict between Nigeria and Cameroon over Bakassi Peninsula?

This research question sought out to finding the main cause(s) of boundary conflict

between Nigeria and Cameroon over Bakassi Peninsula. Tables 9, 11, 12 and 13 gave responses to this research question. Starting with table 9, it sought if respondents believed that the former colonial powers were the main causes of Bakassi conflicts to which they (respondents) disagreed with. Table 11 on the other hand suggested that the discovery of crude oil in the Peninsula region was the main cause of the Bakassi conflict; this, the respondents agreed to. Table 12 however, requested if respondents agreed that colonialism was the main factor that led to the Bakassi conflict to which the respondents claimed ignorance of. Finally, table 13 requested respondents thoughts on whether lack of credible treaties by the former colonial powers was the major cause of the Bakassi conflict. On this, the respondents agreed.

- ii. Research Question two: What are the roles played by the UN and International Communities in resolving the Bakassi conflict between Nigeria and Cameroon?*

This research question was aimed at finding out if the United Nations and the International Communities played any significant roles in resolving the conflict in Bakassi Peninsula. Tables 8, 22, and 24 provided response to this research question. Both Tables 8, 22 and 24 sought to know if respondents considered the UN and or the international communities to have played any significant roles in the resolving of Bakassi conflicts between Nigeria and Cameroon. Answering to which respondents expressed positively that the UN quiet played significant roles in the resolving of Bakassi Peninsula conflicts, they are unaware of the impact made by the international communities and they do not know if international politics did play any vital roles in resolving the conflict, respectively.

- ii. Research Question Three: What are the conflict resolution mechanism adopted by the International Court of Justice (ICJ) in resolving the Bakassi conflict between Nigeria and Cameroon?*

This research question intends to find out what resolution mechanism was adopted by the International Court of Justice (ICJ) in resolving the Bakassi conflict between Nigeria and Cameroon. In answering this question, Table 10 sought if the decision by the International Court of Justice (ICJ) to resolve the Bakassi conflict in favour of Cameroon was the best step towards ensuring peace between the two nations of Nigeria and Cameroon. In response to this question, a whopping number of respondents agreed positively that this decision by the International Court of Justice (ICJ) was the best for resolving conflict between the two nations.

Still yet, Tables 14 and 15 all established some the mechanism adopted for the resolve of the said conflict. Table 14 asked respondents view on whether dialogue was the best mechanism for resolving conflicts. Their response was remarkably positive; they agree that dialogue was the best option for resolving conflicts. Table 15 on its part asked if respondents also believe that bilateral diplomacy was another best mechanism for resolving conflict especially between the two aggrieved parties, Nigeria and Cameroon. Their response too, was yes, bilateral diplomacy was effectively used as a mechanism for resolving the Bakassi conflicts.

iv. Research Question Four: Why the former colonial powers failed to properly address the Bakassi border conflict before they all left?

The above research question intends to find out why the former colonial powers failed in their attempt to properly address the Bakassi border conflict between two nations of Nigeria and Cameroon before they left.

Answering this question, table 13 requested from respondents if lack of credible treaties by the former colonial powers was the major cause of their inability to resolve the Bakassi conflict between Nigeria and Cameroon before they left. Large portion of the respondents expressed positively that yes, lack of credible treaties by the former colonial powers was the major cause of their failure.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATION

5.1 Summary

This research examines the role played by the International Court of Justice (ICJ) United Nations and International Communities to deal with border conflict between Nigeria and Cameroon. The conflict traced the historical background right from the colonial power such as British, German, and French and Colonialism. The mandate territories of the British Cameroon and French were place under United Nations organization (UNO), which succeeded the League of Nations and trust Territories. Worth of note here is that, the agreement of these trusteeships territories ratified the Anglo-German treaties of 1913 demarcating the border between Cameroon and Nigeria. Again, Maps produced during this placed Bakassi under the sovereign of Cameroon.

The border conflict map out sharing the relationship among various actors and issues in the dispute over the Bakassi peninsula. The states in conflicts are Nigeria and Cameroon, and the (ICJ) herded the peninsula to Cameroon in October 2002. After the (ICJ) verdict, which of course has no enforcement mechanism, the Nigeria parliament submitted that had ever would be unconstitutional and demanded a referendum (price 2003). Even the UN body overseeing the negotiation between Nigeria and Cameroon.

The ICJ judgment raises a number of important issues. One, two competing perspectives of sovereignty were revealed one historical Nigeria and one western in origin (Cameroon). The fact that the ICJ relied on Cameroon's conventional either indicate that they gave precedence to contemporary western constructions of the

nations of boundaries and sovereignty to the detriment of the historical consolidation argument put forward by the Nigeria government. The argument of the Nigeria government turned on practice as opposed to theory, however, in the reasoning of its judgment, the court further noted that the implementation of judgment, would effort the parties involved the border conflict to gain a beneficial opportunity to cooperate in the interest of the populations concerned, in order notably to enable them to continue to have access to peace and see unity, such cooperation, the court added, would be especially helpful with a view to maintaining security or the conflict resolution.

5.2 Conclusion

The ICJ ruling on the peninsula and parts of lake Chad has remained sour point in Franco-Nigeria, as well as Nigeria Cameroon relations. This means, the judgment of ICJ on 10 October 2002 will, contrary to Cameroonian and French expectation, not contribute to the final solution of the problems.

As Mattrick (2004) put it, “the resolution of any problem creates a new problem” and until equity is brought into the case, it will not “remove” the UN Security Council expected “threat to peace” in the sub-region and Africa. Accordingly, the ruling remains a key of gunpowder in the wheel of peace and socio-economic integration in Africa.

The research work foreseen Nigeria challenging the ICJ’s judgment by persuading the court to consider additional five treaties, and conduct a referendum. This would be strictly opposed by France, and the paper has suggested strategies to impress it on Britain to checkmate French territorial ambition in West Africa and Africa. The time test of regional peace and integration is in the bowel of time as Nigeria and Cameroon are already locked in a war of words over the Bakassi peninsula and part if Lake

Chad.

However, these alternative explanation of the claims of dispute over Bakassi are in themselves, evidence that should be used the judges of the ICJ to determine who trusty should exercise sovereignty over the peninsula, while the restatement of the problem show aspect of the chronological development of the dispute to its present level, the actual drawing of the border and contemporary claims in historical context all help us to understand the importance of one instrument the Anglo-German treaty of March 11,1913.Any suggestion that because Britain and France hatched a plan to take over German Cameroon, which of course, is one of the least mentioned courses of the world war I meant the treaty leased to be enforceable is not reasonable. This show that subsequent treatment of the Cameroon territory on the Nigeria side continued to respect that agreement, besides, the bitter truth that the only bounding instrument, such as pillars along that close -10 -200km long border are these planted into the ground by the Germans, the 1913 treaty is a legally blinding document constitutionally and by the weight of its evidence on the ground – the bounding pillars are very reliable and perhaps the only reliable premise from which to make judgment as to who own Bakassi; a close look at the case of the disputing parties will give more credence to this treaty and the role it will play in determine who showed have sovereignty of the Bakassi peninsula.

Bakassi is predominantly occupied and populated by Nigerians of EfikOrigin, Ibibios, Flats, Efuts, Olayes, Ijaws, Afikpo (Ibid), most of whom one Fishermen and traders. In other words, the land and the resources belong to Cameroon and the people peninsula to Nigeria, moreover, since the 10thOctober, 2002 world court ruling, tension has been very high not only at the Bakassi once, but also at the timber and cocoa rich Boki region of Cross River State of Nigeria, sharing a Cameroon

borderland with the republic of Cameroon. These areas are Domare, Biajia, Bumajun Okira and Oknagwo communities in Boki Local Government Area.

It is only when these issue settled that we can move forward on the Bakassi impasse. The world court verdict on the Bakassi peninsula has generated so much comments and reactions both local, national and international.

5.3 Recommendations

Based on the above findings the research recommends a number of steps, which will assist in solving boundary dispute between Nigeria and Cameroon, as follows;

- i. Richard (1997) noted that serious arbitrariness caused by colonial evolution of modern Africa national boundaries had been under discussion since 1950 and that by the 1962, African leaders raised the issue of compartmentalization of the Africa continent up to 44 nations, a fragmentation that could lead to dispute over borders and mineral wealth. He re-echoed Peter Enahoro (1972) position that no one is seeking to redrawn should be addressed through the determination of Africa political leadership to resolve their continent cannot economic crisis, Africa increasing realization that peace and security are prerequisites for the economic development of the continent and the urgent need to curb political crisis.
- ii. Markus (2002) noted that border dispute various in the Africa sub-region and the escalation of such disputes into war are due to the of territorial integrity features on region-wide consensus basis due to the characteristic of Africa elites to minimize external threat to their rule through engaging in border conflicts, ethnographic and demographic native of Africa continent and the impact on the creation of modern war states adjust boundaries or grant autonomy to areas affected by such interactions.

- iii. Looking at the position of OAU/AU (1963) in fermenting Africa unity to reduce the conflagration and fragmentation of African state as a pointer forward resolving border conflict, it was noted that could not fight colonialism and Neo-colonialism without unity and a common front. The need for compromises around only hastens the continent's recertification, but would guarantee the Africa's territorial integrity and sovereignty. Hence, borrow the words of former Mali President -Modibo Keita quoted in Toural. (1976) this we must take as it is, and we must renounce any territorial claims, if we do not wish to introduce what we might call back imperialism"
- iv. Aghemeto and Ibhasebho (2006). Noted that Nigeria give peninsular to Cameroon, and nation would achieve two things which consist of apply "The principle of good faith" in the rule of international relations and diplomacy by honoring 1962 diplomatic note that conceded Bakassi to Cameroon and by upholding ICJ ruling through vulnerable since Bakassi is strategic to her national security apart from the maritime Access to Nigeria coast and other issue.

5.4 Limitations of the Study

The limitation of the study is among other things that the inaccessibility to all or most important materials and as well as the general problems with the secondary data that is subjective opinion often inform their conclusion. However, the researcher overcomes the challenges through thorough examination and cross-examination of the facts by the writer in the field and thereby drawn conclusion. In addition, time and resources such as finance which culminated in the challenges experienced in the cause of carrying out the study.

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APPENDIX 'A'

Department of Political Sciences,
Faculty of Social Sciences,
Nasarawa State University, Keffi.
P.M.B 1022
15th September, 2018

Dear Sir/Madam,

I am a Post Graduate Student of the above named university, undertaking a research on International Relations, titled: Conflict and Conflict Resolutions in International Relations: A Study of Bakassi Pennisula. This research is purely for academic purposes and your responses will be treated with utmost secrecy and confidentially. Please kindly respond to the following questions. Thank you for your anticipated cooperation and understanding.

Yours Faithfully,

Emmanuel Chinedum Anyanwu
NSU/SS/M.Sc./IRL/022/14/15

SECTION (A)

Demographic Survey

Age: 18-25[] 26-39 [] 40-59[] 60 and above []

Marital Status: Married [] Single[] Divorce[] Widower[]

Religion: Christianity [] Islam [] Traditional []

Occupation: Civil Servant [] Diplomat [] Trade Union[]

Educational: Primary [] Secondary [] Tertiary [] Others []

Nationality :_____

SECTION B

1. In your view, do you think UN played any significant roles in resolving the Bakassi Conflict between Nigeria and Cameroon.

Yes [] No [] Don't know []

2. Do you believe that the international communities did not play any roles in resolving the Bakassi conflicts between Nigeria and Cameroon? Yes [] No []

Don't know[] If yes,

how_____

3. Do you agree that the former colonial power were the main causes of Bakassi conflicts? Yes [] No [] Don't know [].

4. Do you think that the rulings of ICJ on Bakassi conflict in favour of Cameroon can bring peace between the two nations? Yes [] No [] Don't know []

5. Do you believe that the discovery of crude oil in Bakassi in Pennisula is the major interest of both two countries? Yes [] No [] Don't know []
6. Do you agree that colonialism was the major factor which caused conflict in African states Yes [] No [] Don't know []
7. Do you think that lack of credible treaties by the former colonial powers was the major challenges in Bakassi conflict? Yes [] No [] Don't know []
8. Do you believe that dialogue and mediation are the best ways to resolve conflict?
Yes [] No [] Don't know []
9. Do you think international politics did not play any vital roles in resolving the Bakassi conflicts? Yes [] No [] Don't know [] If yes,
how? _____

10. Do you believe that bilateral diplomacy with Nigeria and Cameroon helped in resolving the border conflict? Yes [] No [] Don't know []
11. Do you think that violence is the best option to resolve conflict?
Yes [] No [] Don't know []
12. Do you agree that the agitators leaving in Bakassi Pennisula cannot respect the ICJ judgment? Yes [] No [] Don't know []
13. Do you think Nigerians can accept the ICJ rulings against Nigeria?
Yes [] No [] Don't know []
14. Do you agree Cameroon government connived with the ICJ judges and passed the judgment against Nigeria? Yes [] No [] Don't know []
15. Do you believe that AU/ECOWAS played roles in resolving conflict in Bakassi Pennisula between Nigeria and Cameroon? Yes [] No [] Don't know [].

16. What are the causes of boundary conflicts between Nigeria and Cameroon over Bakassi Pennisula_____

17. What are the challenges at stakes presently in Bakassi Pennisula after the ICJ ruling?_____
