

# POST-CONFLICT PEACE-BUILDING IN A CONTESTED INTERNATIONAL BORDER: THE NIGERIA-CAMEROON BORDER CONFLICT SETTLEMENT AND MATTERS ARISING<sup>1</sup>

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## Introduction

The political solution under the Green Tree Agreement which led to the handover of the contested Bakassi Peninsula to Cameroon by Nigeria following the International Court of Justice (2002) ruling signaled the end of the protracted Nigeria/Cameroon border conflict, at least on the surface. However, some analysts believed that it marked the beginning of what may result into a future conflict (Agbakwuru 2012; The Guardian 2006). From the analysis of the verdict of the Court, it would appear that while the interests of the two states involved in the conflict appeared to have been taken into cognizance, the interest of the indigenes and inhabitants of Bakassi was not. Apart from alienating these local people from their ancestral homes, cultural sites and livelihood opportunities, activities such as fishing; interstate water transportation, trading etc, which were operated as early as the pre-colonial days by the local inhabitants, appear to have been disrupted, thus, endangering their means of livelihood and survival.

The Anglo-German agreement of March 1913 which the ICJ ruling relied on for its verdict on the Nigeria-Cameroon border conflict represents the earliest milestone in the process of alienation of the inhabitants of the

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Bakassi Peninsula, the *causus bellum*; especially since the kings and chiefs of Old Calabar exercised sovereignty over the Bakassi<sup>3</sup>, a title which was subsumed in that part of Nigeria as the sovereign state during the period of this conflict. While the ICJ ruling gave precedence to contemporary western constructions of the notions of boundaries and sovereignty to the detriment of the historical consolidation (Sama & Johnson-Ross 2005-2006, 111), “protectorate treaty made without jurisdiction should not have taken precedence over a community title rights and ownership existing from time immemorial” (Nigerian Information Service Centre 2002; The Guardian 2002, 1-2) In other words, Germany transferred to Cameroon what it did not derive from Britain, since the right to title ownership lay with the kings and chiefs of Old Calabar. The focus of this article is not to delve into the juridical issues relating to legal ownership of the territory since the ICJ ruling had put that to rest. Rather the objective is to analyse matters arising from the settlement that could jeopardise the “cold peace” between the two countries; issues relating to psychological, socio-economic and political fallouts which the method of settlement of the conflict and its application brought on the indigenes and inhabitants of the Bakassi Peninsula as well as proffer recommendations for lasting peace in this troubled region.

## Literature Review

Scholarly works abound on the Nigeria-Cameroon border conflict. Most of these studies agree on the colonial origins of the conflict (Nwoko 2012; Aghemelo & Ibhasebhor 2006; Sama & Johnson-Ross 2005-2006). However, there is no agreement as regards the ownership of the contested territory. The trend in the literature seems to have been the analysis of the conflict by engaging with the origin and the course of the conflict and possible implications of the ICJ judgment on both sides of the conflict (Bekker 2003; Tarlebbee & Baroni 2010). Others explored the negotiation processes in the post ICJ ruling (Tarlebbee & Baroni 2010). No matter the level of interpretation of the conflict and the subsequent outcome, one issue stood out; that the interest and the well-being of the Bakassi people were not included for analysis or interpretation both in the ICJ ruling and in the literature. The closest to exploring the plight of the residents of the region is the study by Sama & Johnson-Ross (2005-2006). The study, however, is

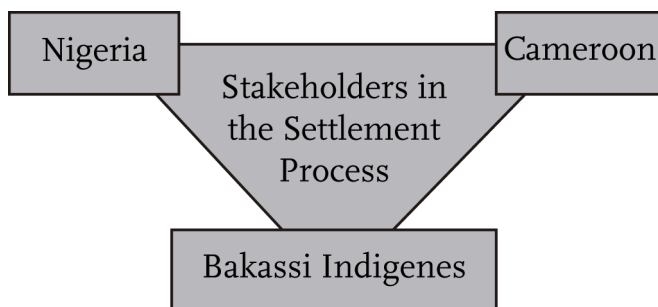
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<sup>3</sup> The treaty of protection between Great Britain and the Kings and Chiefs of Old Calabar, 10 September 1884.

confined to the impact of the Bakassi Peninsula conflict on the relations between the Anglophone Cameroonian and Nigerian resident populations. While Nigeria used the well-being of the Bakassi people as one of the bases for her claim over the Peninsula (Tarlebba & Baroni 2010, 206), the same claim appeared to have been jettisoned once she failed to actualize her claim. Indeed, the Green Tree Agreement (2006 *apud* Ngang 2007) provides in Article 3 that “Cameroon, after the transfer of authority to it by Nigeria, guarantees to Nigerian nationals living in the Bakassi Peninsula the exercise of their fundamental rights and freedoms enshrined in international human rights law and in other relevant provisions of international law”. However, this provision appears to have been violated. This amounts to a clear violation of international law by Cameroon, just as the willful neglect of the Bakassi population by Nigeria amounts to irresponsibility and a negation of the law of social contract (Internet Encyclopedia of Philosophy n.d.).

The process of the implementation of the ICJ ruling and the Green Tree Agreement and the successes recorded by getting the parties to sign them was definitely an indicator of the success of the diplomatic process that produced them (Sama & Johnson-Ross 2005-2006, 119). However, since it didn’t comprehensively resolve the Bakassi problem, it therefore was a failure of the conflict resolution approaches deployed since the indigenes were not placated. As a panacea for lasting peace in the region therefore, Kevin Ngang (2007, 28), proposes joint collaboration resembling the example of France, the Netherlands and Sweden, which jointly own the islands of St. Martin and Saint Bathelemy while Baye (2010, 32), believes that infrastructural developments and effective occupation of border areas which checks future incursions can guarantee sustainable peace. But this research hinges lasting peace in the region on only the approach that balances the triangular interest of the Nigeria, Cameroon and the Bakassi indigenes.

**Figure 1: The Triangular Process in the Conflict Settlement**



## Background to the ICJ's Ruling on Cameroon-Nigeria Border

The immediate event that led to the ICJ's ruling on 10 October 2002 was the resurgence of violence between Nigeria and Cameroon in the 1990s. This contested boundary, which extended from the Lake Chad to the Atlantic Ocean, became a recurrent source of irritation and controversy between the two countries soon after their independence in 1960 (Merrills 1997, 676). With several border clashes at various times, each involving loss of life and damage to property on both sides, the Bakassi Peninsula became a peculiar theatre of conflict with far-reaching implications (Merrills 1997, 677).

The government of Cameroon had, on 29 March 1994, filed an application instituting proceedings against Nigeria concerning a dispute described as "relat(ing) essentially to the question of sovereignty over the Bakassi Peninsula". The application further stated that the "delimitation (of the maritime boundary between the two states) has remained a partial one (that) despite many attempts to complete it, the two parties have been unable to do so". Hence, it was its desire that the ICJ "in order to avoid further incidents between the two countries ... determine the course of the maritime boundary between the two states beyond the line fixed in 1975".

After entertaining arguments from both countries, the Court ruled concerning the sovereignty over the boundary, on October 10 2002 that sovereignty over the Bakassi Peninsula and the Lake Chad area lay with Cameroon. The Court also upheld the validity of certain colonial arrangements invoked by Cameroon and therefore fixed, by clear majorities, the land boundary from Lake Chad in the north to the Bakassi Peninsula in the south (Bekker 2003, 387). In fixing the portion of the maritime boundary over which it had jurisdiction, the Court agreed with the argument advanced by Nigeria that the equidistant line between the two countries produced an equitable result, though it decline to identify the point off the coast of Equatorial Guinea at which the maritime boundary between Cameroon and Nigeria terminates (the "tripoint") (Bekker 2003, 388).

Figure 2: showing the Area of Bakassi



**Source:** Map No 4247, United Nations department of peacekeeping operation cartographic section (May 2005).

Little over a decade since the ICJ ruling and more than five years since the final handover of the contested Bakassi Peninsula to Cameroon on August 13, 2013, it would appear, from recent developments, that the process of settlement excluded the inhabitants of the area. The Bakassi people whose rights, landed properties and means of livelihood were affected the most and who were at the heart of the conflict seemed to have been left out in the settlement. Following the handover, inhabitants of the Peninsula were forcefully displaced and evicted from their homes, harassed, killed and stopped by the Cameroonians gendarmes and soldiers from engaging in fishing and other maritime activities which were their main sources of livelihood (Channel TV News 2013; Vanguard 2013). On the Nigerian side, some of the people who decided to cross back to Nigeria were neglected, abandoned (Duke 2012) and mostly treated as refugees; only temporarily sheltered in designated primary schools and public buildings across Akpabuyo Local Government of Cross River State of Nigeria, before their resettlement in the Iking area recently (Nigerian Newsday 2013). Significantly, most of these people decried their treatment

as non-Nigerians citing several issues to support their claims. Some of these claims include: that they were no longer allowed to exercise their rights of vote since 2011 on the ground that (1) their area (electoral wards) were transferred to Cameroon (2) their names subsequently could not be found on the Independent National Electoral Commission (INEC)'s Voters' Register (FGD: Frank 2015). Similarly, attempts to settle these people by the Federal Government of Nigeria were overly fraught with unending controversy.

The major issues arising from the settlement process as alluded to above are multifaceted. First, is the question of the nationality of the Bakassi people and their right to exist in their homeland. Second, is the relevance or appropriateness of post-conflict peace-building mechanism employed; especially how much it protected those affected by the displacement arising from the settlement. It is obvious that the ICJ ruling and application of the political adjudication did not accommodate the triangular interests of all the stakeholders. Third, is the mechanism of smooth reintegration into Nigeria; one that takes cognizance of the protracted constitutional problem of indigene/settler dichotomy -for the Bakassi people are newcomers resettled in a new place away from their ancestral home (Agbese 2013, 379-396). These and much more are some of the issues arising from the process of settlement of the Nigeria-Cameroon border conflict which this article addresses.

This study adopts the qualitative methods and from it, the historical method in terms of data collection, analysis and presentation. The data collection is based on selected primary and secondary sources. The primary sources include oral data from fieldwork, news study reports, Focused Group Discussions, etc. Secondary sources include written sources relevant to the study; policy documents, books, magazine and journal articles, as well as unpublished works, theses and dissertations, seminar and conference studies, amongst others. Oral data for the study were obtained through in-person key-informant interviews and focus-group discussions (FGDs) held in Akpabuyo Local Government Area of Cross River State.

## Reactions to the Handover of the Peninsula by Nigeria to Cameroon

The ICJ judgement and the processes that followed, including the handover of the Bakassi Peninsula to Cameroon threw up many unanswered issues which perhaps made Bakassi indigenes to reject the ICJ ruling and the ensuing processes. Under the umbrella of Free Bakassi Association, the indigenes opted for legal redress against the Federal Government of Nigeria.

The group, among others sought an order of *mandamus* to void the Green Tree Agreement (GTA) and compel Nigeria to repossess the Bakassi Peninsula (Agbo 2012, 56). They sought this remedy pursuant to Section 1 of the African Charter on Human and Peoples' Rights (Enforcement and Ratification Act Cap 10), Laws of the Federation of Nigeria, 1990, as well as Order 34 Rules 1(a), 3(1) and (2) of the Federal High Court Civil Procedure Rules, 2007. The litigants saw the GTA as a breach of Articles 1, 2, 20, 21, 22 and 24 of the African Charter on Human and Peoples' Rights. They also believed that the Agreement was a violation of Article 1 of the International Convention on Economic, Social and Cultural rights and Article 1(2) of the UN Charter as well as violated the UN Declaration on the Rights of Indigenous Peoples.

The ICJ ruling and the GTA appeared to have been further jeopardised by the stance of Nigeria's National Assembly, that any agreement remains illegal until ratified by the Assembly. According to Section 12(1) of the 1999 Constitution of the Federal Republic of Nigeria, "No treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty was enacted into law by the National Assembly". The position of the National Assembly was however clarified by the former Attorney General of the Federation and Minister of Justice to the effect that the GTA was never a treaty but a study agreement entered into willingly by the two state parties involved and the Mixed Commission as a witness party for the execution of the ICJ ruling (Nwoko 2012, 30). Despite these agitations, it would appear that the action of the Nigerian government in handing over the territory to Cameroun remains irreversible.

Since the Government of Nigeria relocated many of the returnee Bakassi indigenes to the Ikang area of the state, one of the relocation sites (the others being Kwa Island and Dayspring Islands 1 and 2; the only uncaded portions of the Bakassi homeland) with the promises of providing the basic infrastructure and skill acquisition for the Bakassi indigenes, nothing has changed. In most instances, indigenes who had lived their lives as fishermen on the Peninsula were relocated to a landlocked area (FGD: Effiong 2015); suggesting that the government was perhaps insensitive to the needs of her citizens. A more attentive resettlement plan would entail among others, exposing the displaced persons to new skills to help them adapt to their new life away from maritime related economic activities. For the most part, promises of infrastructural development, such as schools, health care centres, police security posts, etc, were not forthcoming, nor the least modest monthly stipends they were promised (FGD: Effiong 2015). The question then is why were these promises not fulfilled and what are the implications? The research reveals that these promises were either not fully kept or not kept at all.



## Mechanism and Process of reintegration of Bakassi Indigenes in Nigeria and Cameroon

To facilitate their resettlement, the Cross River State government had, through the State House of Assembly, created additional wards from Ikang area in Akpabuyo Council and added to the remnants of the lost Bakassi to make up the New Bakassi Local Government/Council under Law No 7 of 2007. Between 2009 and 2010, some 4000 Bakassi returnees were evacuated to this area under the supervision of the United Nations Commission for Refugees (UNCR). At this initial stage, the regular basic supplies, including food and water were constant, along with the monthly stipend (FGD: Bassey 2015). The returnees were resettled in Ikang area, in two settlement estates namely; Ekpri Obutong and Ikot Effiom Estates. The estates housed not only the returnees from the Bakassi area alone who were mainly of Efik extraction but also indigenes of other states such as Delta, Akwa Ibom, Cross River, Edo and Bayelsa who lived on the Bakassi Peninsula. Together, these people were, at least on study, allocated buildings, on average of three to five people in a room (FGD: Okon 2015). Those formed the first wave of returnee occupants of the estates who also received a monthly handout of N5000 (about \$32 at the time) for their upkeep (FGD: Okon 2015). However, the upkeep allowance was suddenly withheld, just as the team of medical personnel in charge of the medical centre stopped visiting. In the same week that this researcher held a focus group discussion with the Bakassi returnees, one of the participants<sup>4</sup> lost his pregnant wife and the unborn baby due to the absence of maternal care. The only police post in the area right from inception never had a single police officer sent to it (FGD: Frank 2015). Further, the only security operatives present at the new settlement was a group of heavily armed mobile and military police personnel at the entrance of the Bakassi area. These security personnel, however, were often busy extorting money from private commercial vehicle operators flying to and fro Calabar town, than maintaining law, order and general security<sup>5</sup>. Similarly, there were no schools anywhere or any kind of training infrastructure in the resettlement area. The consequence was that children were playing all day without an education or any form of instruction. To compound the already difficult situation in the

<sup>4</sup> Paul Bassey Etim (24 years) lost his wife due to lack of medical care in particular maternal health care.

<sup>5</sup> This was witnessed by this researcher first hand on his way to and from Bakassi area on field work on the 25 August 2015. The small cab operators appeared to have devised a way of making block contribution for the security men to forestall any disruption of their daily transport business.



estates, the returnees were often harassed by those security operatives in the guise of searching for 'militants' (FGD: Frank 2015).

These deprivations, to a large extent had huge implications for the reintegration of the returnees into the Nigerian society. First, the failure of the Nigerian government to provide adequate shelter, food, security or introduce them to new skills irked the Bakassi returnees. There were concerns at the time that some of these returnees were returning to the Cameroons and taking up jobs with the Cameroonian gendarmes as spies and informants (FGD: Frank 2015). Others out of frustration actually returned to claim Cameroonian citizenship, by changing their names and identities, at least in order to have shelter and basic necessities of life. Yet others were hoping for the possibility of dual nationality. In any case, those situations bred resentment against Nigeria from amongst its own people. This was capable of creating explosive situations of the type that simmered in the neighbouring Niger Delta. To validate this, there were insinuations that some of the Bakassi returnees had joined the Niger-delta militants attacking government and oil installations in the region (Agbo 2012). This perfectly explained the constant harassment of and raids on the returnee inhabitants of the estates by the joint mobile and military police.

Expectedly the manner in which the Nigerian authorities treated its citizens relocated from the Peninsula was widely believed to be responsible for the audacity with which Cameroonian gendarmes maltreated the returnees too. Since 14 August 2008, when the Cameroonians took full administrative control of the ceded territories, economic activities in and around the area were destroyed, or at best, shrunk to the extent that the livelihood of those who returned to the Peninsula was in jeopardy. Indeed, the Cameroonian authorities seemed to have covertly or overtly ignored all the guarantees built into the Green Tree Agreement signed on 12 June 2006. The forceful preclusion of Nigerians in Bakassi from engaging in their traditional vocations appeared deliberate; perhaps to make strong point of victory on the basis of the ICJ ruling. It could also be interpreted as a way of erasing any traces or vestiges of Nigerian presence in the peninsula or to reduce same to the barest minimum. This posturing by Cameroonians appeared to validate the earlier viewpoint that Yaoundé was only interested in the economic opportunities and resources of the territory and nothing more. To corroborate this, Cameroon established government ministries (of fisheries and agriculture) to maximise the exploitation of water resources in the peninsula. The implication was that the activities of Nigerians therefore, appeared to be both a threat as well as competitive affront to Cameroon.

Beyond the disruption of their subsistence and livelihood activities, Bakassi people face arbitrary arrest, rape, arson, torture and extra-judicial

killings in the hands of the Cameroonian soldiers and gendarmes. For alleged minor offences for instance (such as fishing in the upper river or felling of mangrove trees) an offender's boat engine could be confiscated and such offender swiftly taken to Yaoundé, to face possible imprisonment. In some cases, it was a journey of no return (Bassey 2012, 50). Sundry allegations against the Cameroonian security forces which include drowning of Bakassi fishermen caught fishing on restricted areas, confiscation of their fishing boats and nets as well as the imposition of arbitrary levies on the Bakassi residents by Cameroonian gendarmes, raised questions about the future of these Nigerians in Cameroon, either as Cameroonians or as resident aliens. Below was a list of offences and corresponding levies imposed on the Nigerians at a time:

**Table 1: Showing Levies imposed on Bakassi residents by Cameroonian Gendarmes**

S/No	Offences/action	Levy (in Naira)	In US \$
1	Residence permit (per annum)	N 150,000*	\$ 937.5
2	Operation of Manual boat	N 15,000	\$93.75
3	Operation of engine boat	N 30,000	\$187.5
4	Cutting of firewood	N 5,000	\$31.25
5	Playing music at odd time	N 2,500	\$15.6
6	Smoke tax	N 5,000	\$31.25
7	If maggot is found in the fish you are drying	N 30,000	\$187.5
8	If you are caught trying to cut down a mangrove tree	N 30,000	\$187.5
9	Building permit before building a house	N 50,000	\$312.5
10	If there are up to 200 sticks in your house	N 100,000*	\$625
11	If your boat passes on your way to Nigeria	N 10,000	\$62.5
12	On your way back from Nigeria on boat	N 10,000	\$62.5
13	Permission to enter Cameroonian town of Ekondo	N 15,000	\$93.75
14	If you have children in Nigerian instead of Cameroon school	N 2,000*	\$12.5
		*Annual payments	

**Source:** *Tell Magazine* (29 October 2012)

Further, the Cameroonian authorities systematically embarked on a mission of forced integration of Bakassi population by cutting them off from their affiliations with Nigeria. Apart from the imposition of outrageous taxes just for living on the peninsula, there were also penalties associated with attempts to relate with Nigeria or even to relate with the mainstream Cameroon. For instance, “If you pass them [the soldiers or *gendarmes*] on the way to Nigeria, you pay a tax of \$63, on your way back; you pay same, making a total of \$126 each day you leave the peninsula” (Agbo 2012, 55). The Cameroonians also forbade the Bakassi indigenes from buying food from Nigeria, or bringing in fish or livestock from Nigeria into Cameroon (FGD: Edem 2015). In the same vein, people with children schooling in Nigeria, were forced to pay \$13 for each of them annually, a punishment for not allowing them attend schools in Cameroon (Agbo 2012, 55).

## The Status or Nationality Quagmire

The experiences of the Bakassi returnees since after the handover of the peninsula by Nigeria to Cameroon led to several calls to clarify the status of these people within the context of Nigeria’s political framework. This was in response to what Bakassi leaders referred to as hardship, lack of infrastructure (Mbamalu and Akpan 2015) and their treatment as second class citizens especially drawing from their experience during the last general elections of 2015 in Nigeria (FGD: Asuquo 2015). The point was made previously that as a strategy to cater for the remaining 60 percent of the Bakassi residents who chose to return to Nigeria, part of Akpabuyo Local Government Area was carved out to create New Bakassi. Despite this arrangement, there appeared substantive legal complications. For example, the State Law Number 7 of 2007 that created New Bakassi is not yet recognised by the Federal Government (Agbo 2012, 51), whose constitutional responsibility it is to create local government areas. Because it is not recognised by the constitution, it also means that the new local government could not be funded from the federation account. This lacuna created problems during the 2015 general elections when the Independent National Electoral Commission (INEC) declined to conduct elections in the Ikang area which formed the newly created New Bakassi Local Government, insisting that the law creating the Council must first be ratified by the National Assembly (Mbamalu and Akpan 2015). The implication of this was that so many Bakassi returnees were disenfranchised.

Though some part of the Bakassi Local Government indigenes got their permanent voters cards, (PVCs) and even elected officers as canvassed

by some politician (Ita-Giwa 2015) the returnees argued that these areas concerned were only a few existing wards in the remaining part of Bakassi Akpabuyo area not ceded such as Code 03. The newly created wards especially Code 04 of the New Bakassi were never given PVCs or allowed to vote (FGD: Effiong 2015). This was because their names which were originally registered in the ceded areas presently in Cameroon were yet to be transferred from the ceded territories back to the Nigerian area and it appeared that more than ten years after the transfer of sovereignty to Cameroon, nobody appeared interested about integrating the returnees politically. Consequently, this situation caused friction resulting in litigation pending at the Supreme Court of Nigeria. According to Mbamalu and Akpan (2015),

Over 6,000 people from Ikang in the New Bakassi that was created from Akpabuyo council have constantly been disenfranchised because INEC has insisted that Ikang does not exist in the map of Nigeria as Bakassi and, therefore, cannot conduct polls there. But the [Cross River State] government has insisted that, with the creation of New Bakassi and the enabling law, Ikang is part and parcel of it in Nigeria and should benefit in all things as any other council in the country.

While the matter remains *sub judice*, as there is a litigation between the State Government and INEC in the Supreme Court of Nigeria, the over 6000 disenfranchised people continue to suffer neglect, deprivation and discrimination even from their host or neighbouring communities as subsequent analysis and exposition below will show.

## Relationship between the Bakassi returnees and their host

As stated earlier, the remaining Bakassi land not ceded to Cameroon was the Akpabuyo Local Government, where the returnees were camped and later resettled after the Cross River State Government through the instrumentality of the State Law No 7 created the New Bakassi Local Government. These settlements in the Ikang Area comprised two main estates; the Ekpri Obutong and Ikot Effiom states. However, there was conflict between the returnee settlers and the remnants of old Bakassi of Akpabuyo where the former were resettled. Like the age long phenomenon in Nigeria, the conflict took indigene/settler dimension. While the hosts claimed that their land and available resources were shared with settlers without compensations as promised by the government, their resentment the more was based on the fact that the newcomers were claiming equal

access to resources and power. The situation led to the factionalisation of the New Bakassi into two groups jostling for supremacy. On the one hand, were the remnants of the old Bakassi, comprising Daysprings 1&2 and the Kwa Island assembling under the aegis of the Bakassi Peoples General Assembly (BPGA), while on the other hand, representing the Ikang people carved out to form the New Bakassi was the Ikang Combined Council (ICC) (FGD: Effiong 2015). Those groups engaged in the struggle for power, dominance and access to political largesse and other patronages. The implication was that the development compounded their plight as the feeling of mutual suspicion made it difficult for them to convey a common front in articulating their demands and grievances to the government and the international community.

One major development from this however, was the fact that some politicians took advantage of this schismatic situation for personal enrichment and aggrandisement. In particular, majority of the participants in the focused group discussion all pointed to the establishment of a rival returnee camp established by a particular politician who was accused of assembling “unknown faces and groups” and running an illegal camp since 2013 at Ikot Iyo Primary School in Akpabuyo. With this parallel camp, this politician allegedly diverted some of the supplies and largesse meant for the officially recognised Bakassi returnees at the two estates in the Ikang area (FGD: Effiong 2015). To these people therefore, these politicians constituted more of a problem than solution to their plight (FGD: Etim; Effiong and Ekpo 2015).

## Conclusion and Recommendations

This study has unveiled the extent of the implementation of the ICJ ruling and the Green Tree Agreement in the Nigeria-Cameroon border conflict by the Cameroon-Nigeria Mixed Commission and its implications on the post-conflict peacebuilding in the region. The analysis offered in the study provides an insight into the situation of hopelessness, deprivation, human rights abuses and the failure of the Mixed Commission to midwife a functional and all-encompassing settlement. The study as well brings to the front burner the need for the adoption of an alternative post-conflict peacebuilding approaches in the face of the ineffectiveness of the extant approaches in fostering positive peace and sustainable development in the region. This has become very critical in a region where identity political movements have increasingly deployed their cultural properties to press home the need for self-determination (Onuoha 2015, 363). Beyond this form

of loyalty, this study has shown that there is an increasing possibility of the construction of a new referent object or a new form of loyalty which could attract the devotion of subjects whose loyalties are not based on ethnicity, state or any other affiliation except on the suffering and injustice identified in this context as the Bakassi Phenomenon. And whom feeling threatened by the abuses of the state parties involved as well as the inaction of the international community to their plight, may recourse to subversive actions to exert their rights and in this case, an external self-determination.

This study offers the following recommendations:

1. That the Nigerian Government should create a new Bakassi Resettlement Committee with representatives chosen from the Bakassi people, not politicians, to see to the full implementation of the resettlement process.
2. That the Nigerian government should effectively integrate the returnee Bakassi people by legitimising the newly created New Bakassi Local Government by the Cross River State Government through the ratification of the Cross River State Law No 7 which created it as well as make the electoral wards in the new local government functional so that elections can hold in these areas not recognised by the Federal Government's document.
3. That due and adequate compensation should be paid by the Nigerian government to the Akpabuyo Local Government from whose area additional territory was carved out for the newly created New Bakassi Local Government.
4. That a state of emergency should be declared by Nigeria in the New Bakassi Local Government, especially in the provision of infrastructure; hospitals, schools, roads and other public works including the maintenance of law and order.
5. That the establishment of a partnership between Nigeria and Cameroon should be pursued by both countries in particular, to harness ecological resources around their redefined common border, and,
6. That as a mechanism for compensating the local population of the Bakassi region who have suffered human rights violation, deprivations and loss of means of livelihood, a bi-national ecotourism should be developed in the region by both countries.

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## Focused Group Discussions

Focus Group Discussion: Asuquo, Abia Etim (36 years) Returnee Bakassi Youth in Ekpri Obutong Estate, Ikang Area, New Bakasi Local Government Area, Cross River State, 25 August 2015.

Focus Group Discussion: Effiong, Antrigha (42 years) Returnee Bakassi Youth leader in Ekpri Obutong Estate, Ikang Area, New Bakasi Local Government Area, Cross River State, 25 August 2015.

Focus Group Discussion: Ekponyong, Bassey (32 years) Returnee Bakassi Youth in Ikot Effiom Estate, Ikang Area, New Bakasi Local Government Area, Cross River State, 25 August 2015.

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## ABSTRACT

The objective of this study is to analyse matters arising from the Nigeria–Cameroon border conflict settlement that could jeopardise the “cold peace” between the two countries; issues relating to psychological, socio-economic and political fallout which the method of settlement of the conflict and its application brought on the indigenes and inhabitants of the Bakassi Peninsula as well as proffer recommendations for lasting peace in this troubled region. In doing this, the study investigates how the process of settlement of the conflict based on the ICJ ruling and the Green Tree Agreement has thrown up more complex issues that encapsulate the interest of the Bakassi people from what should have been a triangular process. The analysis here exposes the damage: psychological, socio-economic and political produced by the peculiar manner in which the method of settlement of the conflict that attached greater importance to the interest of the state parties vis a vis the strategic significance of the Peninsula to the exclusion of its inhabitants. The study brings to the front burner the need for the adoption of an alternative post-conflict peacebuilding approach in the face of the ineffectiveness of the extant approaches in fostering positive peace and sustainable development in the region. It proffers recommendations that would accommodate the triangular interest of the stakeholders: Cameroon, Nigeria and the Bakassi people caught in the web in ways that would advance security and development in West Africa. The study adopts the qualitative methods and from it, the historical method in terms of data collection, analysis and presentation. The data collection is based on selected primary and secondary sources. The primary sources include data from oral evidences from fieldwork, new study reports, Focused Group Discussion (FGD) etc. Secondary sources include written sources relevant to the study; policy documents of Bakassi Local Government Administration, books, magazine and journal articles, as well as unpublished works, theses and dissertations, amongst others. Oral data for the study was obtained through in-person key-informant interviews and focus-group discussions (FGDs) held in Akpabuyo Local Government Area of Cross River State, Nigeria, where some of the Bakassi people are presently sheltered and the various communities around the Peninsula. Oral interview with the spokesperson of the displaced people as well as expert groups already working in this area, rights activists and journalist, were also contacted for the purposes of this study. In analysis and interpretation, the study employs theoretical approaches from relevant disciplines such as history, peace and conflict studies, politics and law, applying them to the historical situation associated with the concerns of the study. In presentation, the study combines the chronological, analytical and descriptive styles.

## KEYWORDS

Triangular Process; Post-conflict peacebuilding; GreenTree agreement.

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