

## Post Conflict Bakassi Peninsula and Human Rights Violations

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### Abstract

The tension between Cameroon and Nigeria over the resource rich Bakassi Peninsula witnessed tremendous human rights violations despite the implementation of peaceful measures, and these violations still linger even after the final settlement of the conflict. The main thrust of this paper is to examine human rights violations in Bakassi after the final resolution of the conflict. Using data sourced from scholarly works, online and newspaper publications, and participant observation during field undertakings, this study reveals that there are still significant human right violations in the Bakassi area even when the conflict has ended. The study argues that the respect of human rights in the disputed area is far from being achieved. This paper recommends the Cameroon and Nigeria government to intensify developmental projects in the Bakassi area, resettle the displaced populations and refrain from molesting the indigenes. These will limit human rights abuses and foster perpetual peace in the region.

**Keywords:** Post Conflict, Bakassi Peninsula, Human Rights Violations, Cameroon, Nigeria

## Introduction

Past and recent studies on interstate and intrastate conflicts in Africa as well as terrorism, has provided me with the determination to look into other vital aspects like human rights during these phenomena. The issue of human right violations in Africa has always been looked upon as a western phenomenon, leading to little attention. After the period of independence in Africa, the quest for power and superiority has led to neglect of human rights. Whether consciously or unconsciously violating these rights, statesmen over cling on the issue of territorial and civilian protection, as well as maintaining order. Human Rights sometimes go unnoticed and so far, objectives are achieved, no rights have been violated. Before we dive deep, let us have a grasp of what transpired in the Bakassi Peninsula between Cameroon and Nigeria in the subsequent paragraphs and sections.

Cameroon and Nigeria have often had tensions among themselves but, they still exhibit very cordial and friendly relations. The secessionist or Biafran war that struck Nigeria from July 1967 to January 1970 tested this friendship, but they still put through (Omoigui, 2010). The current Boko Haram insurgence, the militant activities at their maritime border zones, and the current Ambazonia war still test this friendship and both countries always seem to find a way to pass these test of friendship threats (Funteh, 2015; Amin, 2020). The situation that almost both countries to the brink of a protracted war was the tussle over the resource rich Bakassi Peninsula. Nigeria, a former territory of the British Crown gained independence on October 1, 1960. The independence struggle in Cameroon on the other hand was two-fold as the territory was governed by France and Britain. French Cameroon gained independence on January 1, 1960 and became known as *La Republique du Cameroun* while British Southern Cameroon (herein after referred to as Southern Cameroons) gained independence by reuniting with French Cameroon (*La Republique du Cameroun*) on October 1, 1961 (Ngoh, 1979). The independence of both Cameroon and Nigeria set the undertone to the skirmish that plagued the Bakassi area (Nwalu, 2020).

Cameroon and Nigeria immediately after independence have been characterised for widespread of human rights violations in the political, sociocultural, and economic levels. More precisely, the have been pinned on politics with leaders tackling their political opponents or groups for fear of being overthrown (Mbuh, 2004; Fombo, 2006). Following their struggle over the Bakassi Peninsula, this phenomenon of human rights violations was greatly exercised and felt. The United Nations (UN) 1948 Declarations of Human Rights serves as a backbone to the concept of human rights. Little or no attention was paid to the overwhelming rates of human rights abuses/violations that were committed during the fighting and adjudication stages of the Bakassi conflict. It was only after the issues was brought to the International Court of Justice (ICJ), and the resolution strategy of the court that the issue of human rights violations in the Bakassi area became public. However, following the court's verdict in October 10, 2002, the issue of human rights abuses in the area became a small issue of concern. When the

Bakassi issue was finally laid to rest following several mechanisms orchestrated by the UN and which will be explained subsequently, there still exists aspects of human rights violations in the peninsula here and there.

A myriad of scholarly literature abounds to the Cameroon-Nigeria Bakassi conflict, ranging from the background of the conflict, its consequences, and its adjudication. Aghemelo and Ibhasebhor (2006), Shaibu and others (2015), and Okoi (2016) all look at the causes of the Bakassi conflict, pinpointing colonialism, natural resources and the independence of both Cameroon and Nigeria, and among others, as some of the vital reasons why the conflict was birthed. The Bakassi conflicts and its adjudication brought positive consequences in terms of war cost reduction, preservation of human and material damages (Baye, 2010). The negative consequences of the conflict and its adjudication was/is pinned on issues of displacements, human and material damages, and security challenges (Anekwe, 2002; Ugwuowo, 2012; Funteh, 2015). Others like Cornwell (2006), Ariye & Etemike (2017), and Amin (2020) look at the diplomatic strategies and bilateral relationship between Cameroon and Nigeria. Also, scholars like Anyu (2007), Ugwu (2012), Alobo and others (2016), and Akpan and Onya (2018) have magisterially looked at the adjudication of the conflict- from the legal process, the legal mechanisms, and the outcome and validity of these adjudication.

The aforesaid scholarly works shed enough light on the issues that surrounded the fight between Cameroon and Nigeria over the Bakassi Peninsula. Just a handful of them have examine human right violation during the dispute. Spearheading this is Akak (1999), where he lays emphasis on Cameroon human rights violations on Nigerians through border violations and encroachment, molestation, and extension of her administrative dominance in the area. His analysis resembles a one side analysis because it clearly undermines Nigeria's own human rights violations in Bakassi- owing to the fact that the region harbours Nigerian and Cameroonian citizens. Sone (2014) also looks at human right violations in the Bakassi area during the peace facilitation period. To her, Cameroon's implementation of the ICJ verdict and GTA via developmental activities was a focal point to fulfil the rights of the people. She however regrets that poor infrastructural development in the Bakassi Peninsula between 2002 and 2012 is a direct violation of human rights. But her analysis seems one sided as she only focuses on the Cameroon government, while intentionally or unintentionally omitting the Nigerian government.

The conflict was finally resolved in August 2013 when Cameroon gained full control-following the end of the special regime period as stipulated by the GTA. From this period, new scholars like Nwoko (2016), Tangko (2020), and Kpwa (2023a) reviewed the issue of human rights violations in the Bakassi Peninsula. To them, the constant molestation of Nigerians living in the Bakassi, the low level of development in the area, and the non-inclusivity of the indigenes in both the socioeconomic and political aspect of the area, has the underpinnings of human rights violations. Moreover, the continuous killings even during and after the

adjudication process of the conflict is also a benchmark of human rights abuses. However, the aforementioned works on human rights violations in the Bakassi area exhibit some limits. These limitations are based on time and scope, with the aspect of scope being that, these works focus on human rights violations of Bakassi indigenes without taking into cognisance the state and their agents. In terms of time, these works limit themselves to 2013 which was the year in which the Bakassi Peninsula was finally handed to Cameroon, thus bring the conflict to a final end. Nevertheless, the aforementioned literature gives us an understanding of the quagmire that surrounded the Bakassi saga.

It is against this background that this paper has as main thrust to critically examine human rights violations in the Bakassi Peninsula after the final resolution of the conflict in 2013 and beyond. In fact, this paper looks at human rights violations in the Bakassi Peninsula from August 15, 2013 till present date, showcasing the different perpetrators and victims. This paper also has as objective to answer questions of when, where, why, who, how, actions and reactions towards human rights abuses in post conflict Bakassi. Human rights violations are very common and sometimes seen as unavoidable during conflict situations. However, the continuous human rights violations even after the final resolution of the conflict raises questions about the functionality, authenticity, and sustainability of these mechanisms put in place alongside the intentionality of the different stakeholders in the peace process. In order to fulfil the objectives of this paper, this paper will be divided into four sections. The first section conceptualises human rights and from it, human rights violations. The second section gives a rundown of the Bakassi Conflict and its adjudication. The third section talks of the methods used in this paper to achieve its objective. The fourth section brings out results of human rights violations in post conflict Bakassi and discusses on them. The last section concludes the paper and also proffers some recommendations to reduce human rights abuses/violations in the Bakassi Peninsula.

### ***Conceptual Clarification***

This paper is largely grounded on human rights, a concept which is as familiar as the daytime news right now. More to that, the concept of human rights has greatly been debated recently especially about its broad nature. The concept of human rights has existed since time in memorial but in different forms and different ages in all human societies. There are a number of scholars and institutions which have tried to define/ clarify the concept of human rights. Basu (1994) defines human rights as these petty rights, which every individual must have against the state or other public authorities, by virtue of his being a member of the human family without any consideration. Beitz (2002) sees human rights as moral principles that set out certain standards of human behaviour and are regularly protected as legal rights in national and international law. Marks (2016) on his part sees human rights as a set of norms governing the treatment of individuals and groups by states and

non-state actors on the basis of ethical principles regarding what society considers fundamental to decent life.

The above burgeoning literatures though important, provide a limit to the extent to which human rights can be understood. The most accepted and more engaging clarification/definition of human rights is the UN's Universal Declaration of Human Rights in 1948. It defines human rights as rights inherent to all human beings. This paper hinges on this definition because this definition includes all aspect of life-social, economic, political, cultural, and familial. This definition is even more soothing in this paper because it includes 'second generation rights'-the right to work, the right to fair pay, the right to food, shelter, and clothing, the right to education and amongst others. It is from this UN Universal Declaration of Human Rights that we define human rights violations as those acts that negatively affects the inherent rights of human beings. For human rights violations to occur, there must be an interplay between the State, Non-State groups and individuals. The degree to which these violations are measured is sometimes subjective when it concerns 'first generation rights' violations, and universal when it concerns 'second generation rights' violations.

### ***Understanding the Bakassi Peninsula Conflict and its Resolution***

Cameroonian and Nigerian scholars each see the Bakassi Peninsula as a region found in the Ndian Division of Cameroon and an extension of the Calabar territory in Nigeria respectively (Obodo & Akwen, 2017, pp. 243). A further geographical dissection of the Bakassi Peninsula reveals that it lies between latitudes 4 25° N and 5 10° S and longitudes 8 20° and 9 08° E. Also located at the extreme end of the Gulf of Guinea, it has some 1000square km of mangrove swamps, creeks and half submerged islands (Aghemelo & Ibhasebhor, 2006). The peninsula covers an area of 665 square km and has a 75 square km coastline and dense network. It has a maritime climate with an average rainfall between 4000mm and 7000mm. temperatures in the area straddles between 25°c to 35°c and it has a relative humidity above 85% (Nwachukwu, 2008). It is also an area where the warm guinea current and the cold Benguela current meet, thereby enabling maritime wildlife to strife in easily. It has a population of between 150 000 to 300 000 inhabitants with Nigerians making up more than 85% of it. The region has prominent ethnic groups like Efik, Efut, Ibibio, Ekoi, Bakole, Barombi, Balondo and some Banyanui, and their main economic activity is fishing (Tabetah, 2013).

Some scholars say the Bakassi Peninsula was under the rulership of the Obong of the Ancient Calabar Kingdom (Anyu, 2007:42) while others reveal that the area was ruled by the old Oroko Kingdom (Mbaga & Njo, 2007, p. 8). However, the age of colonialism changed this history. Subsequently, Germany annexed Cameroon right up to the Akwayafe river in July 1884 while Great Britain signed treaties with the Kings and Chiefs of Old Calabar Kingdom in September 1884(Mbaga & Njo, 2007, p. 8; Anyu, 2007, p. 42). The outcome of this exercise was the inappropriate and inelaborate demarcation and delineation of the Cameroon

Nigeria border areas which created a rift, causing people living on both sides of the border to be separated from each other by beacons and pillars. The difficulties in this demarcation and delineation process caused some worries to the colonialists, and in order to solve these differences, they entered into several agreements and arrangements (Omoigui, 2010). Germany later lost Cameroon to France and Britain following the outbreak of World War one. Consequently, Cameroon was unevenly divided by these new colonial masters, causing new constraints and birthing new agreements/arrangements particularly about the Bakassi area (Konings & Nyamnjoh, 1997, p. 28; Amin, 2020). The colonial legacy and its legal instruments of agreements and arrangements gave birth to the Bakassi palaver which still drags on till date (Duyile, 2015; Kpwa, 2022).

The dawn of independence in the African continent added more steam to the underground Bakassi conflict at that time. French Cameroon (*La Republique du Cameroun*) gained independence on January 1, 1960 while Nigeria gained independence on October 1, 1960. The issue was complicated in British Cameroon, but through a UN organised plebiscite on February 11, 1961, Southern Cameroons (where Bakassi Peninsula is found) voted to gained independence by reuniting with French Cameroon. This reunification took place on October 1, 1961, making them one (Baye, 2010, pp. 20-21). These newly independent states were now troubled with the burden of redefining their borders especially around the Bakassi area. Following independence, Cameroon and Nigeria made dire efforts to develop a friendly relation through several agreements and as earlier mentioned, the test of this friendship was the Biafran war which lasted almost three years (Amin, 2020, p. 6). Concerning the Bakassi issue, the atmosphere was different. Nigerians living in Bakassi at that time had been complaining of brutality, molestation, and harassment from Cameroon gendarmes. However, to set the standard straight and to seek for peace, both countries ventured into agreements/arrangement despite continuous raging problems. Hence, between 1962 to 1996, Cameroon and Nigeria brokered several agreements to address the Bakassi issue, but with minimal results (Kpwa, 2022, p. 87).

As earlier accentuated, the vestiges of colonialism and its legal instruments gave birth to the Bakassi conflict (Tarlebbee & Baroni, 2010, p. 201). However, the most prominent factor among others that forced Cameroon and Nigeria to fight over the Bakassi was the discovery of abundant natural resources in the region. Cameroon and Nigeria at that time were oil and gas dependent, and following the discovery of oil and gas in the area in 1967, both countries started seeking ownership over it. It should be noted that the Bakassi area was considered a dismal and worthless swamp with miserable folks and the discovery of oil and gas made it a centre of attraction (Asobie, 2005, p. 83). Amin (2020, p. 9) opines that the Bakassi Peninsula has abundant untapped natural resources and maritime wildlife, and the region alone contains as much as 10% of the world's oil and gas reserves. Apart from the existence of abundant natural resources and maritime wildlife, the region is also strategically important as it grants access to the Calabar seaport and



the economic survival of Nigeria's Export Processing Zone (EPZ) (Shaibu et al., 2015, p. 37; Okoi, 2016, p. 55). The economic importance of the Bakassi area gives credence to why all efforts made by Cameroon and Nigeria via bilateral diplomacy failed. Summing up on the factors that caused the Bakassi quarrel, Asobie (2005, p. 82) succinctly puts that, "essentially, the struggle over Bakassi was neither for the people nor an empty barren territory. It was primarily for some natural resources: for some object of labour. And the roots of the dispute laid in the nature of colonial frontiers, particularly Nigeria-Cameroon international frontiers".

From the early 1960s, the Bakassi area was plagued with a plethora of war provoking activities ranging from inhumane treatment of in the indigenes, military and counter military actions. Following this, Biya of Cameroon took the initiative to mount up a lawsuit against Nigeria, putting the sovereignty over Bakassi as most important, and filed it to the International Court of Justice (ICJ) on March 29, 1994 (ICJ Report, 1994; Konings, 2005, p. 292). There were general expectations that skirmishes in the Bakassi area would end following this lawsuit, but contrarily, these skirmishes still ensued (Kah, 2014). After 8 years of oral and written proceedings, the court adjudged and declared on October 10, 2002 that sovereignty over Bakassi laid with Cameroon (Mbagha & Njo, 2007, p. 9). Before this ruling, the then UN Secretary General (SG) Kofi Annan invited Biya of Cameroon and Obasanjo of Nigeria to a meeting in France on September 5, 2002. At the end of the meeting, both Heads of States agreed to implement the forthcoming court's decision at all cost (Kamto, 2008, p. 15). Following the court's verdict, Nigerians saw this as a predilection and based their claim on the sociocultural and economic losses. Cameroonians, though not all, welcome this decision with joy and gladness (Sama & Ross, 2006; Baye, 2010). However, Kpwa (2022), asserts that the verdict as economically and politically more beneficial to Nigeria than to Cameroon. These criticisms and the difficulties in implementing this verdict pushed the UN SG Kofi Annan to invite Biya and Obasanjo again for a meeting in Switzerland on November 15, 2002. The result of this meeting was the creation of the Cameroon-Nigeria Mixed Commission (CNMC), whose sole mission was to implement the court's decision (Ngang, 2007, p. 24).

This new UN body, the CNMC met every two months on an alternating basis in Abuja and Yaoundé. In one of such meetings, Nigeria agreed to pull out from Bakassi by September 15, 2004. However, this phenomenon did not materialise, and Nigeria continued to deploy its military to her own side of the Bakassi area (Mbagha & Njo, 2007, p. 10). Consequently, following 14 alternating meetings that shuttled between Abuja and Yaoundé, the CNMC was finally able to negotiate peace between the two countries over the Bakassi area. Hence, on June 12, 2006, the UN brokered Green Tree Agreement (GTA) was signed between Cameroon and Nigeria, and this brought an end to military activities in the area (Ngang, 2007). Under this new agreement, Nigeria was obligated to withdraw her troops within 60 days, and 2 years to remove her administration. Cameroon on her part was obligated to respect the rights of Nigerians living in Bakassi, granting them

some facilities, and not restricting their movements. After Nigeria must have removed her remaining administration, a 5-year special regime transition period was introduced in order that Nigerians living in the area will have time to fully prepare for Cameroon's final takeover (Kamto, 2008, p. 17; Baye, 2010, p. 25). On August 14, 2013, the special regime transition period that was allocated to Bakassi came to an end, leading to the end of hostilities between Nigerian and Cameroonian military, and also the full and complete takeover of the territory by Cameroon (Amin, 2020, p. 14). However, despite this peace process that occurred, there was a rapid birth and surge in militant activities in the region-which still plagues on till date (Kpwa, 2023b).

### Methodology

This paper adopts the qualitative research method in terms of research design. In terms of data collection, this paper makes use of primary and secondary data about the Bakassi issue ranging from books, official reports, journal articles, online magazines, newspapers, dissertations and theses, and among others. This research also hinges on observations made during two field research undertakings from March to May, 2019 and February to April 2021 in Bamusso, Isangele and Idabato subdivisions in the Bakassi region. The reason why these areas were chosen is because Nigerian indigenes dominate these areas. To ensure a safe and ethical research, ethical clearance was gotten from the Department of History, University of Yaoundé 1, Cameroon. These participants when asked about issues concerning human rights violations in the area, they were unwilling to respond for fear of the unknown despite the presentation of the ethical clearance. In order to meander through this limitation, the researcher used the observation technique which entails the systematic recording of observable phenomenon or behaviour in a natural setting (Dzwigol & Barosz, 2020, p. 142). Consequently, keen observations were made and any issue relating to any form of human rights abuses in these selected areas.

To analyse the data obtained, this paper uses content and thematic analyses. After having analysed the data require, the thematic approach was implored. The thematic approach entails identifying, analysing and reporting patterns(themes) within the data (Braun et al., 2016). Some aspects of human rights violations were decoded from the data about the after events of the final resolution of the Bakassi conflict. In achieving this, the researcher identifies and groups human rights violations in post conflict Bakassi into three broad themes: (1) civil and political rights; (2) economic, social and cultural rights; (3) and collective rights. These broad themes were further broken down into subthemes which includes; (i) right to take part in the conduct of public affair, vote, to be elected and to have access to public officer, (ii) right to be free from torture and cruel, inhumane and degrading treatment of punishment, (iii) right to life, (iv) right to adequate standard of living, including food, clothing and housing, (v) free use of their wealth and natural resources. These subthemes were/are being experiencing in post conflict Bakassi.



In fact, common threats that affect the day to day lives of the Bakassi people were identified and themed and sub themed into the violations of the aforementioned human rights. The researcher uses these successive steps in bringing out human rights violations in post conflict Bakassi: (1) the researcher identified common threats of violence and wellbeing after the resolution of the conflict; (2) the researcher groups these threats into codes; (3) the researcher decodes these threats into potential and actual themes of human rights violations; (4) the researcher further breaks down these themes into subthemes to pinpoint human rights abuses. The analyses from this data reveals that there are still numerous aspects of human rights violations in post conflict Bakassi, and most these are perpetrated by State, Non-State Armed Groups (NSAGs), individuals and corporations.

To ensure the trustworthiness and accuracy of the data acquired, this paper adopts the triangulation technique which is a method used to increase the credibility and validity of research findings (Noble & Heale, 2019, p. 67). More precisely, this paper uses the data triangulation technique which includes matters such as period of time, space and people, the investigator triangulation technique which includes the use of several researchers in a study, and the methodological triangulation technique which promotes the use of several data collection methods such as interviews and observations (Denzin, 2017). To ensure the trustworthiness and accuracy of the various human rights violations in post conflict Bakassi, information on some aspects of human rights abuses were collected, and this information were then verified among one or two other information especially among official reports, newspapers and online magazines. Information from observations were carefully and unbiasedly recorded as they happened so as not omit germane aspects. These raw observations were then probably analyses and fitted into the subthemes in which they are most suited. All these information when put and verified/compared together, revealed a more than proportionate trustworthiness and accuracy to the main thrust of this paper which is to examine human rights violations/abuses in post conflict Bakassi. For the purpose of clarity and understanding, this paper uses violations and abuses interchangeably to examine these human rights phenomena.

## **Results and Discussion**

### **A. Violation of the Right to take part in the Conduct of Public Affairs, Vote, Be Elected and have access to Public Office**

The final resolution of the conflict on August 14, 2013 gave Nigerian indigenes living in the Bakassi Peninsula the choice to either stay or leave. Those who decided to stay were obliged to abide to the laws of Cameroon. Those who finally decided to leave were being taken care of by the Nigerian government. Prior to the final settlement of the dispute, more than one hundred thousand Nigerians living in the peninsula fled into the Nigerian territory for fear of their future where

they will be vulnerable to harassment, molestation, and torture from Cameroon gendarmes and authorities (Dos Santos, 2014, p. 2). Following this displacement crisis, these Bakassi returnees were settled in makeshift camps or with host families and communities though in precarious conditions (Oluyemi, 2014:33). But, after some time, these returnees started facing resentment and friction from the government and their host families and communities. According to Dos Santos (2014, p. 4), these returnees did not have the right to vote for local and national elections, and had a quasi-stateless status. Moreover, these returnees have always been side-lined by their host communities into vying for being elected into public services as they were often considered second class citizens (Ngalim, 2016). For those Nigerians who decided to stay in the Bakassi Peninsula and under Cameroon authority, they are given no right to vote, be elected and do not have access to public offices as they were now considered foreign or aliens.

The violation of the Bakassi returnees' rights to vote, be elected or have access to public offices hinges on some aspects. First, the unanswered question of nationality of these returnees and their right to exist in their homeland. Second, the ineffectiveness of the employed post conflict peace building mechanisms. Last, the problems accruing to the reintegration mechanisms put in place by the Nigerian government for these Bakassi returnees. Initially, the Nigerian government had settled these returnees in Ikang, Akpabuyo Local Council and following the Cross River State Law No 7 of 2007, the New Bakassi Local Council was created (Nwoko, 2018). Unfortunately, the Nigerian federal government (FG) had not yet recognised this law. Consequently, during the 2015 general elections in Nigeria, the Independent National Electoral Commission (INEC) refused to conduct elections in the New Bakassi Council because this council had not yet been ratified by the Nigerian national assembly. Even though indigenes in some areas in the Bakassi Local Council not ceded got their permanent voter's card (PVC) and even elected officials, returnees in the New Bakassi Council never got theirs (Nwoko, 2018, p. 76). This caused some officials of the Cross River State government to petition the Nigerian supreme court for intervention. In reaction, the Nigerian supreme court ordered INEC to delineate wards in the Bakassi Local Council so as to give the people a sense of belonging (Onochie, 2018). The aforementioned schismatic situation clearly showcases violation of the Bakassi returnees' rights to vote, be elected and have access to public office.

#### **B. Violation of the Right to be free from Torture and Cruel, Inhumane or Degrading Treatment or Punishment**

Nigerians living in the Bakassi area have for long been complaining about the degrading treatment and punishment they suffered or are suffering in the hands of Cameroon gendarmes. This aspect according to Tabetah (2013) made some of them to see molestation, torture and harassment as the cause of the conflict. There used to be widespread accusations of Cameroon gendarmes' brutality during the

conflict stages, but little information could be gotten of Nigerian security forces promoting torture and cruelty. Moreover, with the advent of militancy in the area, oil personnels and government authorities have been subjected to kidnap and other degrading treatment being perpetrated by these NSAGs. Cameroon security forces and administrators were seen as the chief orchestrators of these degrading treatment and it was possible at that time to see them making headlines in news outlet. This is because, the mainstay of the Nigerian press was/is to showcase human right abuses and injustice by Cameroon security forces and authorities, but Cameroon news outlets were/are more of presenting the misfortunes their security forces and officials faced/face in the hands of Nigerian forces and militant groups (Tangko, 2020, p. 16). For what is worth, this event-oriented, bias and sentimental style of reporting still persists in incidents occurring in the Bakassi Peninsula. It is true that human rights abuses are unavoidable during conflict periods, but with the end of the Bakassi conflict, there are still aspects of harassment, torture and degrading treatment perpetrated by state agents and NSAGs.

For example, in December 2014, Cameroon military carried out a crackdown on Nigerian businesses in the Bakassi area who were alleged of evading taxes. Inhabitants in Bakassi always decried frequent harassment and over bearing taxes meted on them by Cameroon officials. This particular incident led to widespread apprehension and detention of those suspected of evading taxes. These detainees in order to secure their release, paid heavy sums of money to Cameroon authorities and security forces in the area (Kindzeka, 2014). In the Bakassi Peninsula, every area is targeted once a year for the recovery of taxes. Here, officials working with Cameroon's ministry of finance accompanied by paramilitary police will storm these areas and collect taxes from all businesses (BBC, 2013). Again, on August 2, 2017, Cameroon authorities arrested and detained 4 Nigerians in Kumbo Amunja in Idabato over the non-payment of taxes. These persons according to Kumbo Amunja community leaders, had paid the 27,500naira fishing tax but yet they were still arrested. The community leaders also lamented that Cameroon authorities further accused the people of organising a peaceful protest on the N100,000 tax fee levied by Cameroon authorities in July 2017 as well as feeding the Nigerian government about this development. In a show of solidarity, the community leaders wrote a letter to the Nigerian government to secure the immediate release of these persons, but nothing happened immediately (Affe, 2017).

Another form of torture or degrading treatment though not greatly publicised but happens frequently in the Bakassi area, is a master/servant form of treatment. Some Nigerians living in the area who are a bit financially stable have maidservants/manservants. These are mostly poor children who are being brought in from Cross River State to work as house helps or shopkeepers. They are often on lied to having a better life while working in the peninsula, and coupled with the buoyant economic activities in the area, most of these poor children gladly relocate. The conditions in which some of these children/servants are treated is very

degrading. Some are turned in house servants under deplorable conditions, others are turned into sex slaves, and others work without being compensated in the end. Many incidents of inhumane or degrading treatment occur daily in the Bakassi Peninsula and this is mostly perpetrated by financially viable Nigerians on less viable ones. During field work undertakings, a particular incident, witnessed by this researcher, gives an underground or unpublicised form of human rights abuses. A Nigerian girl of about 16 years who was brought in from Cross River State to serve as maid in Bekumu, Bamusso in Bakassi under a rich Nigerian woman recounting her story how she was maltreated. According to her, every morning, her mistress would wake her up as early as 4am to do house chores and during daylight, she was sent to hawk and sell her mistress' business items. The outcome of her hawking activity would determine her food ration. If she sold well, she will eat well, if she did not sell well, she will eat less or sleep hungry. This maltreatment forced her to exchange her body to men just to feed. The malnourished and distressed girl complained to the Bekumu police, and in retaliation, the police officers summoned and warned her mistress. However, a few days later, it was learnt that the girl finally fled the Bakassi area for her hometown in Cross River State due to continuous maltreatment.

### **C. Violations of the Right to Life**

During the conflict stages, there was no respect for human life. State authorities, military and police personnel and civilians lost their lives. There was absolutely no need for this bloodshed during this conflict period. The States of Cameroon and Nigeria clearly misinterpreted the UN concept of the 'Responsibility to Protect(R2P) and the 'obligation to protect'. This misinterpretation was possible because it was a war of economic interest of dictators who had lost substantial popularity from their home countries (Fombo, 2006). The Bakassi conflict did not have the underpinnings of a genocidal war, an ethnic cleansing or crime against humanity. Even with the advent of militancy in the area from 2002, there was/is no need for the continuous loss of life. The UN's interpretation of the obligation to protect hinges on providing preventive and remedial measures such as enacting legislations to fight against threats of human rights. Cameroon and Nigeria had the opportunity to enact sustainable development laws in the area which would have gone a long way to inhibit the appearance of militant groups. But with the end of the conflict, the aversion of killings in the Bakassi peninsula seems to be unavoidable. State agents, non-State agents and individuals often violate the right to life in the area.

A Cameroon police officer was killed between February 28-30, 2015 by armed assailants while on patrol in the Bakassi waters. During this attack, a police officer was also taken hostage and these assailants made a number of request before they could release the kidnapped police officer. First, they asked for ransom payment. Second, they for the release of all Nigerians imprisoned in Cameroon.

Last, they demanded the non-payment of taxes by Nigerian living in Bakassi. However, there were no reports if the Cameroon government met the demands of these armed assailants (Ibin Hasa, 2015). Again, Nigerian security forces killed 7 members of the Bakassi Freedom Fighters (BFF) militant group between September 28-30, 2016 stationed at Efut Esighi in the Bakassi Local Government area. This particular scenario gave Nigerian security forces an urge to completely root out BFF in the Bakassi area (Abang, 2016; Ukpung, 2016). Also, 6 pirates were killed by the Cameroon Rapid Intervention Battalion (BIR) and navy in Idabato in early June 2020 when they opened fire against Cameroon forces while in speed boats (Kpwa, 2023c, p. 148). The Cameroon security forces went further to recover weapons, marijuana and money in Cameroonian and Nigerian currencies from these pirates (Oritse, 2020). Again, on May 8, 2021, the militia wing of the Biafran Nations League (BNL) killed Cameroon soldiers in Isangele, Bakassi in a fierce gun confrontation. This incident prompted the Cameroon government to increase military personnel in Isangele (Ogbolu, 2021). Yet again, 2 members of BNL militia who been wreaking havoc on Cameroonian institutions in that locality, were killed by Cameroon forces in Ine-Mba on October 23, 2021 (Alexander, 2021).

On December 2, 2021, a member of the BNL militia was killed in Idabato by Cameroon security forces. This was in reaction to the attempts made by the BNL militia to seize control of major waterways in Bakassi (National Daily, 2021). Again, 2 members of the Cameroon BIR were killed as result of a bomb launched by BNL militia in a security post in Isangele on July 10, 2022. Following this, Cameroon forces repelled these militants who had been targeting vessels at Akpan Nkanya, Bakassi (Akpan, 2022). Also, 5 Cameroon BIR and 1 BNL militia were killed on July 23, 2022. This was a result of Cameroon BIR attacking a BNL militia camp in Isangele in 3 gunboats (John Owen Nwachukwu, 2022). Furthermore, on January 4, 2023, Cameroon BIR came under fierce confrontations with BNL militia in Ikang, Bakassi, and as result 2 Cameroon BIR was killed. The BNL militia in further retaliation fired random gun shots, causing displacements of the indigenes (Sahara Reporters, 2023). Still, a Cameroon BIR was killed by members of the BNL militia in East Atabong, Bakassi on April 4, 2023. This was a result of Cameroon BIR while guiding a Brazilian vessel that broke down, coming under fierce confrontation from these militias (Asare, 2023). Following threats and killings perpetrated by the BNL militia wing, Cameroon and Nigeria beefed up security in the area (Akpan, 2023). The BNL founded in 2013, is a NSAG that currently operates in the Bakassi peninsula and has been seeking to restore the notion of Biafra Nationalism and subsequently the independence of Bakassi (Chia & Kpwa, 2023).



#### **D. Violations of Rights of Adequate Standard of Living, including Food, Clothing, and Housing**

Bakassi indigenes who decided to leave were now being placed at the mercy of the Nigerian government. They relied solely on their government for provision, care and security. Prior to the final handover, the Nigerian government had allocated about USD17 million to resettle these returnees (Norwegian Refugee Council, 2008). Temporal houses and makeshift camps were erected and designed to accommodate these unprecedented number of returnees. The first wave of returnees was resettled at Akpabuyo Local Government Area (LGA). In the Akpabuyo resettlement area, these returnees were provided with regular basic needs, food and water and a monthly stipend of 5000naira (Relief Web, 2008). The increased number of returnees in Akpabuyo LGA forced the Nigerian government to relocate some to Bayelsa and Akwa Ibom States (Relief Web, 2008; Ingiabunai, 2017). From the above mentioned, it implies that between 2007 to 2012, the Bakassi returnees were well taken care off and they had improved standards of living. However, following the final settlement of the dispute, it seems like the Nigerian government have been neglecting these returnees and most of them have not still been resettled (Adoyi, 2013; Kpwa, 2023a). The promise of permanent settlement for these returnees seems to be white elephant project. Even the temporal houses and makeshift camps have deplorable conditions and the monthly stipend is no longer forth coming (Ngalim, 2016; Nwoko, 2018). Leaders of the Bakassi Internally Displaced Persons (IDPs) camps have been petitioning the Nigerian government and non-governmental organisations (NGOs) to fulfil their pledges and come to their rescue, but it is just a futile exercise (Olowolagba, 2019). The complete neglect of the Nigerian government to improve the standard of living, provide food and permanent settlement for these returnees is a violation of the indigenes' rights to adequate standard of living, including food, clothing and housing.

#### **E. Violation of Rights to Free Use of their Wealth and Natural Resources**

As earlier mentioned, the Bakassi peninsula has abundant untapped natural resources as well as maritime wildlife. The richness especially the maritime resources make it to be sometimes comparable to the Newfoundland in North America (Shaibu *et al.*, 2015; Tabetah, 2013). Ironically, with the abundance of this natural and maritime resources, the Bakassi region still remains the most impoverish region in Cameroon and Nigeria. Masumbe (2018) corroborates this by saying that ever since the ICJ verdict of October 10, 2002, the region has not witnessed any viable or essential human services. Control of natural resources usually falls on the precinct of the State, but under human rights law, it is also an issue of peoples' rights. The rights of the people to freely use their wealth and natural resources has been remarkably inconsequential in legal jurisprudence even



with the increasing cry of people around the world to control their natural resources (Gilbert, 2013). This right also entails that the people are the ones to decide on who is to exploit their resources and that they must benefit first before any other groups or individuals. In connection with this, the rights of the Bakassi indigenes to freely use their wealth and natural resources seems to be an illusion or a near impossibility. The Cameroon government has dashed out exploitation rights to multinational corporations to exploit these natural and maritime resources in Bakassi. These corporations make huge profits and then export these profits to their home countries. There is hardly no attempt by these corporations to plough back half of the profits in the livelihoods of the indigenous communities (Masumbe, 2018). In protest, militant groups in Bakassi have risen up to challenge this wanton exploitation and to fight for their rights to use their natural resources (Chia & Kpwa, 2023). However, in reaction, the Cameroon government has instead deployed massive security and logistic support to these corporations without harkening to the plight of the indigenous communities (Masumbe, 2018).

### **Conclusion**

The Bakassi peninsula right from the conflict stages had experienced substantial amounts of human rights violations. One would think that the end of the special regime period in the Bakassi peninsula on August 14, 2013 would automatically lead to the end of human rights violations in the area. Since human rights abuses is a living phenomenon, it is impossible for violations of human rights to be completely annihilated. The results obtained so far have given significant insights on human rights abuses/violations in Bakassi following the final resolution of the conflict. The findings so far revealed the following rights of the Bakassi indigenes that are continuously being violated/abused. These include; (i) right to take part in the conduct of public affair, vote, to be elected and to have access to public officer, (ii) right to be free from torture and cruel, inhumane and degrading treatment of punishment, (iii) right to life, (iv) right to adequate standard of living, including food, clothing and housing, (v) free use of their wealth and natural resources.

This paper bears some limitations in terms of complexity and broadness of the subject matter, and some limitations during field undertakings. In terms of complexity and broadness, this paper does not totally outline all aspects of human right violations that are currently going on in the Bakassi region. Human right abuses occur on a daily basis in the Bakassi Peninsula either overtly or covertly, and the inability of this paper to limit to the aforementioned themes could serve as a weakness. The paper focuses on violations by militant groups, military personnel, government and officials, and corporations operating in Bakassi- creating a sense of one-sidedness. It neglects or pays little attention to the violation of rights of the indigenes by other indigenes. Based on fieldwork observation, the rights of less privileged indigenes are mostly violated by the more privileged ones. In terms of field work limitations, it was practically impossible to get indigenes who could

openly discuss about human right violations. They thought I was working for the government or I was an informant to a militant group- even after I had presented my research credentials.

The findings of this paper are valuable as it analysis/showcases human right violations in Bakassi even after the conflict had been finally resolved. It adds to the limited literature on human right abuses in the region, and it can serve as a springboard for future researchers who want to dig deep in human right abuses in the Bakassi region. The issue of human rights is an ever-evolving issue, which is practised on a daily basis. As such, this paper admits that there is still much to be accomplished in terms of human right violations, particularly in the post conflict Bakassi region. Future researcher should dig deep, and should they dig deep, more emphasis should be meted on those human right abuses perpetuated by one indigene to another. Human right abuses usually morph from small, neglected and insignificant level, to very large, significant, and solution focused ones. Concentrating on small and insignificant aspects of human right abuses in post conflict Bakassi may just help to guarantee continuous peace in the region.

### **Recommendations**

From the findings and conclusion, this study proffers some recommendations that if well incorporated by the government of Cameroon and Nigeria, multinational corporations, civil societies and individuals, the issue of human right violations would greatly reduce and there would be continuous peace and security. These include:

1. The Nigerian government should permanent, properly, and thoroughly resettle and reintegrate the Bakassi returnees so that they have good living conditions and have the sense of belonging. The existing temporal resettlement houses and makeshift camps should be revisited and improved upon so that living conditions in them would be favourable. This will go a long way to prevent the returnees from entering into clandestine activities or having distrust for their government.
2. The government of Cameroon should thoroughly sanction State authorities or security forces in the Bakassi Peninsula who encourage and perpetrate inhumane and degrading treatment on the indigenes. Sanctions like dismissal from public service, or temporal ban from performing state duties and the removal of any benefits. This will cause these state agents to thread with caution and will reduce hate and disenfranchisement in the minds of the indigenes.
3. Multinational corporations exploiting and exploring maritime and natural resources in the Bakassi peninsula should endeavour to provide human services to the indigenous communities. They should part of the huge profit they make in the region to develop the project. This will improve living standards and might just reduce militancy in the area.

4. The government of Cameroon and Nigeria on their part should led the indigenes should have a significant voice in the economic, social, and political lifestyle of their peninsula. This will go a long way to reduce militant or irredentist tendencies in the area.
5. Lastly, the government of Cameroon and Nigerian should focus more on fighting pirate attacks in the Gulf of Guinea rather than stationing or deploying massive military personnel to the Bakassi peninsula. This can instil fear and tremor into the minds and hearts of the indigenes.

#### **Declaration of Conflict of Interest**

The author reported no potential conflict of interest with regards to the research, authorship, and/or publication of this article.\*\*\*

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