

SUDAN BORDER MANAGEMENT AND SECURITY

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OVERARCHING INTER-GOVERNMENTAL FRAMEWORKS

Comparative Reflections on Nigeria's Tested Mechanisms

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Synopsis

- In many cases in history, border relations between states have made a transition between two stages.
- In the first stage, there has been a conflictual relationship between the states, the borders may have been contested, and the boundaries have acted as barriers.
- In the second stage, the relationships have changed and the boundaries have become used as bridges serving many positive functions as part of a mutually agreed process of regional cooperation and integration.
- It is possible and desirable for such a transition to be achieved in Sudan. This transition will require the implementation of a systematic policy framework.
- There are numerous examples from inside and outside of Africa which can inform and guide a Sudanese approach.
- This briefing paper looks in detail at the border challenges experienced **in Nigeria and that country's borders' transition from barriers to bridges**. It also gives a comprehensive overview table of cases from other countries, identifying in each case the challenges faced, which instruments were formulated in response to these challenges, which institutions were established and the mandates, achievements and recommendations of these institutions.

Summary

This paper is concerned with a two-fold argument. The first is to emphasize the universality, not only of the often preceding phase of the barrier and conflictual postures of international boundaries, as currently manifested on the emerging border between Sudan and Southern Sudan; but also of the equally often experienced conversion into the more positive roles and functions of boundaries as bridges, consistent with the maturing into common commitment and engagement of State Parties with wider regional

integration schemes and projects, as was the case with integrating Europe since the end of the Second World War in 1945. The second main point of emphasis is on the imperative of a systematic policy instrumentalisation and the availability of a wide spectrum of real-world experiences with mechanisms and procedures (articulated policy instruments, structures, institutions and practices) in and outside Africa, which can and should inspire developments on the North-South Sudan border and borderlands.

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The brief is focussed on relevant national and international frameworks derived especially from a selection of well known African best practices, notably:

i) Contemporary Nigeria, following the creation of the National Boundary Commission in December 1987 and bearing in mind the remarkably close similarities with territorial structure and history of the Republic of Sudan, which is about to be fundamentally reorganised into two separate African States of Sudan and Southern Sudan;

ii) Mali (former colonial “French Sudan” in West Africa), in relation to its 2002 policy articulation of the Concept of ‘Pays Frontières’ (‘Border Country’ or ‘Cross-Border Areas’), whereby border areas shared with territorially adjacent neighbouring countries are to be specially re-conceptualized, no longer as precipitants of conflict but instead as stimulants of cross-border cooperation and corner-stones for a renewed wider regional integration endeavour;

iii) The Economic Community of West African States (ECOWAS) cross-Border Initiatives Programme (CIP) of January 2005 and its innovative strategic pilot projects (Bobbo Dioulasso-Burkina Faso/Sikasso-Mali/Korhogo-Cote d’Ivoire launched in September 2005; Southern Senegambia, Dec. 2005; and Katsina, Kano Nigeria/Maradi-Niger in September 2007), all inspired by the antecedents of the Nigerian and Malian policy practices and commitments to the systematic promotion of transborder cooperation and, in the particular case of Mali, the planning and development of ‘cross-border areas’ as a regional rather than a national or unilateral enterprise;

iv) The African Union Border Programme (AUBP), formally adopted in June 2007, an unprecedented continental instrument that, though inspired by the ECOWAS CIP, is far more comprehensively designed and more definitively articulated.

The brief also draws on International best-practice instruments and mechanisms, notably:

v) The European Outline Convention on Trans-frontier Cooperation Between Territorial Communities and Authorities, opened to signature of Member States of the sponsoring Council of Europe at Madrid, Spain, in 1980 and ratified in 1984 which has since been in force;

vi) The Association of European Border Regions, the main regional pressure group behind the Convention, with an impressive headquarters in Bonn, Germany, and a Strategic Liaison Office in Strasbourg, France, seat of the European Parliament;

vii) The International Border and Water Commission (U.S. and Mexico Sections), established in 1889;

viii) The International Boundary Commission (Canada and U.S. sections), founded in 1908.

THE CASE OF NIGERIA

Overview

Strategically located in the eastern extremity of the Gulf of Guinea and stretching furthest inland for over 2000 kilometers along its longest and most ‘troublesome’ eastern border with Cameroun, Nigeria, like Sudan and the emerging South Sudan, shares borders with several other sovereign African States, diversely situated in two of Africa’s five major constituent Regional Economic Communities: three (Benin and Niger plus Ghana in the high seas) in the Economic Community of West African States (ECOWAS) and four (Chad, Cameroun, Equatorial Guinea, and Sao Tome and Principe) in the Economic Community of Central African States (ECCAS).

Characteristics of Nigeria’s Borders—Similarities with Other African Countries

For the purpose of this briefing, it is important to draw attention to the striking and fundamental similarities between Nigerian and other African boundaries including those of Sudan and South Sudan, especially, the particularly “troublesome” boundary between the North and the South. Such similarities include:

- History of European imperialist imposition and subsequent colonialist maintenance;
- Problematic delineation instruments and, in some cases such as the maritime extensions, a complete lack of such delimitations;
- Widespread phenomenon of incomplete and unsatisfactory demarcation or lack of it, detracting from the desirable physical geographical status on the ground of whole alignments or along their substantial segments;
- Arbitrary partition and sustained division of pre-existing coherent ethnic and culture areas, causing the widespread phenomenon of ‘Partitioned Africans’ whose continuous cross-border networks of socio-cultural and kinship interactions pose challenges to the contrary insistence on border-maintenance of State and officialdom;
- Arbitrary division also of natural resources and environments, including those of very high strategic and economic value, such as mineral oil, stimulating conflict rather than cooperation between adjacent States with understandable rival interests in the explorations and exploitations; and, finally,

- Dual regionalism and regionalist tendencies that predisposes to the discrimination between the predominantly arabized Muslim and politically dominant North vis-à-vis predominantly Christian and so-called 'animist' South.

Nigerian Border Conflicts

Also as in Sudan and elsewhere in post-colonial Africa, where a prevalent protective and defensive policy posture has predisposed the borders between territorially adjacent States to being factors more of conflict than cooperation, Nigeria's international boundaries vis-à-vis proximate neighbours in ECOWAS and ECCAS are also known to have exposed the nation to a whole range of actual and potential conflicts, many of which escalated into armed clashes and war.

Typical conflictual episodes include:

- The shooting war with Chad, April – June 1983;
- Prolonged dispute with Cameroun from about the end of the Nigerian Civil War of 1967 – 1970, featuring armed conflicts and skirmishes in 1981, late 1993 and early 1994, and ending in an unprecedented protracted and complex litigation over the more than 2000-kilometre land and maritime border at the International Court of Justice at The-Hague, March 1994-October 2002;
- The challenges posed by the obligation to implement the ICJ Verdict of 10 October 2002;
- Heated Diplomacy with Equatorial Guinea, beginning with the mass deportation of Nigerians from the plantations in the Island of Bioko (former Fernando Po) in the mid-1970s and exacerbated by Nigeria's opposition to the use of the Island as a military base for the then Apartheid South Africa;
- Worrisome Incidents, such as those of Kosubosu in 1981 – 1982, on the Nigeria-Benin border over poorly demarcated segments especially in the area of historic Borgu in the northern sector, plus the spectre of trouble raised by the undelineated maritime extension of the border in the Bight of Benin of the Gulf of Guinea; and, finally,
- Accusations by Nigeria against virtually all her neighbours including the normally friendly Niger over alleged use of their border areas as asylums for criminals, including armed bandits and rebels crossing over into Nigeria to wreck havoc and create worrisome security problems to the point of giving rise to serious public outcries of Nigerian border communities in Northeastern, Northwestern and Southwestern geopolitical Zones (In the Southwest, the incidents led to a one-week protest border closure by Nigeria against the Republic of Benin in August 2003; and in the Northeast, the border security problem caused a special motion to be placed before the Senate by Members of the Up-

per Chamber of the Nigerian National Assembly from affected constituencies in the Northeastern States of Adamawa, Borno, Taraba and Yobe).

Recent forms of cross-border crimes have had to be added to the more familiar phenomenon of smuggling, human and drug trafficking the control of which has frequently caused clashes between policing authorities on both sides of Nigeria's international boundaries.

From Conflict to Cooperation

The good news, however, and the point about this policy briefing, is that, due to a decisive policy change in the late 1980s, Nigeria has been successfully repositioned for a redirection from a predominantly conflictual to an increasingly observable cooperative border regime vis-à-vis each of her neighbours in West and Central Africa. The results today may be summarized as follows:

- A generally peaceful atmosphere on all of Nigeria's international boundaries, including the notoriously 'troublesome' boundary with Cameroun;**
- Giant strides in the demarcation process on all of the land borders and the delimitation of the maritime extensions with Cameroun, Equatorial Guinea, Sao Tome and Principe and Benin with preliminary negotiations already begun with Ghana;
- A highly sustained transborder cooperation policy drive:
 - Beginning with the series of innovative consultative bilateral workshops with each of the neighbours in 1988 through 1992;
 - The reinvigoration of existing transborder cooperation mechanisms such as the Nigeria-Niger Joint Commission for Cooperation and the Lake Chad Basin Commission;
 - The creation of such a new mechanism as the Gulf of Guinea Commission; and,
 - Perhaps the most spectacular, the inauguration of the practice of advanced principle of unitization and joint exploitation of cross-border strategic resources, such that has resulted in the exemplar of the Joint Development Authority for the rational exploration and exploitation of the enormous hydrocarbon deposits in the Joint Development Zone created in disputed maritime border areas between Nigeria and Sao Tome and Principe in the Gulf of Guinea, thus turning conflict into opportunity for cooperation;

iv) The creation of bilateral mechanisms that facilitate cooperation between police authorities and inter-related security operatives on both sides of the particular boundaries (The Joint Police Patrol, for example, on the Nigeria-Benin border, which has stemmed the wave of violent property crimes on that boundary);

v) Increased awareness among policy-making elites within the nation of cross-border cooperation and regional integration as ultimate strategies for dealing with the problem of borders as barriers;

vi) Increased awareness among policy-making elites within the nation of cross-border cooperation and regional integration as ultimate strategies for dealing with the problem of borders as barriers;

vii) Acknowledged impact and multiplier effects on the neighbouring States and, by extension, their own neighbours, as evidenced in the input made to the evolution of the 1993 Revised Treaty of ECOWAS and especially its Chapter 58 on Regional Security that specially provides for every Member State to establish its own specialized border administrative structure, **extensibly on the model of Nigeria's NBC, to facilitate a systematic exploration and application of the cooperative and integrative potentials of the boundaries between Member States.**

viii) The other salient pointers include the positive contributions made to the definition and articulation of the ECOWAS Cross-border Initiatives Programme and, so soon after, the African Union Border Programme, both of which are, essentially, regional and continental endorsements of the Nigerian border policy outlook of the era since the late 1980s.

How and why this paradigm shift in Nigerian border management and security policy, the historical process and applicable institutional frameworks as well as the lessons that there may be for Sudan and Southern Sudan are the reasons for this policy briefing. Accordingly, the rest of the presentation is in two parts: while the first, that follows immediately, provides a sketch of the new policy profile and its products, the second is focused on the main range of available mechanisms and frameworks that have been fruitfully applied in Nigeria, inspired by and (in a number of cases) inspiring and influencing developments elsewhere in Africa, Europe and North America.

The New Nigerian Policy Profile

In the last twenty four years or so, beginning with the statutory creation of the National Boundary Commission (NBC) by Decree 38 of 17 Dec. 1987, Nigeria's policy in respect of boundaries and borderlands shared with proximate neighbours has been markedly one of

bilateral and multilateral concern for international cooperation, peace and sustainable development via regional integration. In spite of the setback, occasioned by the militarization of the long-standing border dispute with Cameroon in late 1993 and the eventual eight-year landmark litigation at the International Court of Justice at The Hague from March 1994 to October 2002, the fact of an over-all engagement with transborder cooperation for peace and sustainable development has remained overwhelmingly in evidence.

The hallmarks of the new policy posture are, broadly, three-fold in emphasis:

- A vigorous and systematic transborder cooperation policy promotion and the inter-related mutual confidence-building efforts;
- Border region development; and
- Border demarcation.

These three points of emphasis constitute a series of interwoven measures that became markedly visible in the period in focus.

With regards to transborder cooperation and confidence-building, the process for the new policy regime was initiated with the hosting of the special series of bilateral transborder cooperation consultative workshops, one for each of the neighbouring countries¹, as well as specially planned and carefully executed confidence-building missions to all of them, including Cameroon, from 1988 to 1992.

One particular feature of the confidence-building undertakings was a programme of joint border tours by **Nigeria's Minister of Internal Affairs and his counterpart** across each border, beginning with the tour of the Nigeria-Benin border in February 1986. Other critical features of the new transborder cooperation policy regime include the spectacularly sustained support for, and strengthening of existing bilateral and multilateral transborder cooperation mechanisms such as the Nigeria-Niger Joint Commission on Cooperation with an **impressive secretariat in Niamey; the N'Djamena-based Lake Chad Basin Commission** that embraces Nigeria, Niger, Chad and Cameroon as Members; the creation of such similarly appropriate institutions as the Gulf of Guinea Commission with Nigeria, Equatorial Guinea, Cameroon, Gabon and Sao Tome and Principe as Members; the resuscitation of the Niger River Basin Development Authority with Nigeria, Benin and Niger as three key member states; the execution of the model bilateral treaty between Nigeria and Equatorial Guinea for a joint exploration and exploitation of the hydrocarbon resources that straddle the common maritime border; the completion of the negotiation of

the draft Treaty on Transborder Cooperation Between Nigeria and Benin; and, perhaps, the most innovative, the establishment of the Nigeria-Sao Tome and Principe Joint Development Authority, a bilateral authority for the shared exploitation of the oil mineral resources across the overlapping Exclusive Economic Zones in the high seas, which the two parties had constituted into a Joint Development Zone (JDZ).

The second axis of the new policy posture relates to border region development. Beginning with the **organisation of Nigeria's first National Planning Conference for the Development of Border Regions** in Lagos from 10 to 12 August 1989 under the auspices of the NBC², this second aspect of the new policy regime has progressed to include the creation of a National Border Region Development Committee (NBRDC) as a committee of the National Boundary Commission, in 1990, with the Vice-President of the Federal Republic of Nigeria and Chairman of the NBC himself as Chairman and the Governors of all the 21 border-connected or **'gateway' States as Members. Like the NBC itself, the NBRDC was aimed at being replicated for each concerned federated State and constituent 'gateway' Local Governments, in light of an agreed formula for sharing responsibility between the three tiers of government.**

Although there was an initial border region development fund, the need to substantially increase the quantum and embark on a scientific regional planning approach has led to the Border Communities Development Agency Act (Amendment) 2006. In anticipation of the Agency, there was a preliminary indication in the 2002 Budget of the Federal Government of a sum of N2.5billion (about US\$ 25million) as Border Region Development Fund. In anticipation of the Border Communities Development Agency, a Directorate of Border Region Development has been created within the National Boundary Commission Secretariat which has enabled the Commission to carry on with the work of border region development. The work of Directorate has since been fully taken over by the Agency which came on board in late 2009.

The third and final component of the new borderlands policy initiative is the remarkable progress made on the demarcation of the boundaries themselves. Here, again, a great deal of achievement has been recorded in the last twenty years, thanks to the generally peaceful atmosphere that has been generated by the new transborder cooperative regime. These achievements include: the approval in 1991, though not without queries of details here and there by the Member States (notably Nigeria, Chad and Cameroon), of the demarcation work carried out in the Lake Chad basin under the authority of the Lake Chad Basin Commission; the resumption in March 1989 of the long abandoned demarcation work on the Nigeria-Benin land

border and the substantial progress that has been made; the resumption of work on pillar recoveries and clearer demarcation of the Nigeria-Niger border; remarkable agreements reached on the actual demarcation of the Nigeria-Equatorial Guinea maritime boundary; and the resumption of negotiation of the Nigeria-Benin maritime boundary which was successfully delineated peacefully in 2006. A major catalyst for border demarcation was the ICJ judgement of 10 October 2002 on the eight-year marathon case on the land and maritime boundary dispute between Cameroon and Nigeria. The judgement, which has involved considerable revision of the boundary, has led to major **on-going work of demarcation on Nigeria's eastern boundary with Cameroon, including in the Lake Chad Basin and the Gulf of Guinea of the Atlantic Ocean.**

These processes have since resulted into a certain range of policy products that include the following:

- i) **On-going peaceful demarcation of Nigeria's longest and most disputed border, that with Cameroon, based on a more definitive delineation provided in the ICJ judgement of 10 October 2002, premised on a comprehensive review of existing patchworks of delineating instruments, including the preceding work of demarcation in the Lake Chad Basin carried out under the auspices of the Lake Chad Basin Commission, and, in the maritime sector, on the earlier bilateral agreements of the 1970s.**
- ii) The settlement of the Border with Chad, also in the context of the ICJ verdict.
- iii) Complete work of pillar recovery and a more definitive demarcation of the border with Niger;
- iv) Virtually complete pillar recovery and demarcation exercise on the Nigeria-Benin border, plus a peacefully resolved issue of the delineation of the potentially explosive maritime extension, based on a 2006 bilateral treaty on the maritime border between the two countries;
- v) Settlement of the border with Equatorial Guinea based on the ICJ judgment of the Cameroun-Nigeria Case, Equatorial Guinea Intervening;
- vi) The successful execution of the Nigeria-Sao Tome and Principe Treaty of 21 Feb 2001, and its ratification by Nigeria through an Act dated 28 Feb 2005, leading to the afore-mentioned establishment and systematic operation of the joint Development Authority (JDA) over the Joint Development Zone (JDZ) in the two **State Parties' overlapping Exclusive Economic Zone (EEZ) in the high seas, pending the future determination of the actual border in the area; and**

vii) The initiation of negotiation of the less than twenty nautical miles of maritime border with Ghana, again, in EEZ of the two sister West African States.

Relevant Nigerian Mechanisms in Wider African and Global Contexts

This second part of the briefing enumerates the main policy instruments — national, sub-national, bilateral, multilateral, regional, continental and international – which have enhanced the new security policy design for border management and security in Nigeria vis-à-vis territorially adjacent neighboring countries in West and Central Africa. Some of the policy instruments are also enumerated as part of the contributions which Nigeria has made or the influence it has wielded on other African States.

Either way, the data, tabulated hereunder to aid clarity, are aimed at demonstrating that the struggle for a well managed and secured border is not served a la carte: it calls for diligent policy instrumentalization, disciplined application and, above all, strong political will, to change the orientation from the entrenched tradition of negative nationalism, that entrenches borders that divide, to the more welcome alternative mentality for border that join and unite. The lessons of the sample international instruments such as the European Outline Convention on Transfrontier Cooperation Between Territorial Communities and Authorities, 1984, and the older International Water and Border commission (U.S. and Mexico sections), 1989, are about tenacity of purpose and policy stabilization.

Key Nigerian Policy Instruments, Institutions and Achievements

A. National

Instruments	Institutions + Mandate	Achievements	Recommendation
<p>1. National Boundary Commission (Establishment) Act 2006</p> <p>Repealed Earlier Legislations such as the foundation Decree 38 of 17 Dec. 1987</p>	<p>A presidency-Level Establishment with an Impressive Secretariat, first in Lagos and now in Abuja</p> <p>Mandated to deal with matters concerning the International and Internal boundaries</p> <p>Largely a Conflict Resolution Body but also concerned with infrastructural development as strategy for border security.</p>	<p>Operates regularly since the creation of Secretariat in Jan. 1989</p> <p>Deals effectively with conflict resolutions</p> <p>Promotes Cross-Border Cooperation and Collaboration</p> <p>Acts as Coordinating Disbursing Agent including for the Nigerian Delegation in the Court Case and Implementation of the ICJ Judgment in the matter with Cameroun</p> <p>Anchors Border Demarcation</p> <p>Promotes Border Region development</p>	<p>Very Strongly recommended for both Sudan & Southern Sudan</p>
<p>2. Border Communities Development Agency Act 2003 and Amendment Act 2006</p>	<p>Border Communities Development Agency, Established in late 2009</p> <p>Mandated to engage in the scientific planning and development of border regions</p> <p>Unilateral concern with only the Nigerian side.</p>	<p>Has taken over the Border Region Development functions of the NBC</p> <p>Has invigorated the special development focus on the border areas</p> <p>Has advanced the process of human security in the structurally disadvantaged border areas</p>	<p>Recommended for both Sudan and Southern Sudan</p>

Key Nigerian Policy Instruments, Institutions and Achievements

B. Sub-National

<p>3. Ogun State Boundary Law 2000</p>	<p>Ogun State Boundary Committee established in anticipation in 1997</p> <p>The Ogun is an example of the practice in each of Nigeria's 36 States + the Federal Capital Territory of Abuja</p> <p>As with the States,, each of the 774 Local Governments is also mandated to create and operate its LG Boundary Committee on the model of the States</p>	<p>Operates regularly</p> <p>Deals with Issues of border conflicts in the State and between it and neighbouring States</p> <p>Superintends intercommunity Boundary Disputes</p> <p>Supervises FGN Border Development Projects in the State</p>
<p>4. Ogun State Border Region Development Agency Law 2008</p>	<p>Ogun State Border Region Development Agency, already constituted but awaiting the appointment of its Executive Secretary</p> <p>There are replicas in other States; and in some like Adamawa in Nigeria's Northeast, there is a whole ministry of Border Regional development</p>	<p>As with the Border Communities Development Agency at the federal Level vis-a-vis the NBC, the OSBRDA is planned to complement the work of the State Boundary Committee by concentrating on strictly infrastructural development</p>

Key Nigerian Policy Instruments, Institutions and Achievements

C. Bilateral

<p>5. Convention Establishing the Nigeria-Niger Joint Commission for Cooperation, 3 March 1971</p>	<p>The Nigeria-Niger Joint Commission for Cooperation, Established 1973</p> <p>Though a bilateral institution, its mandate involves it in several creative cross-border initiatives and projects</p>	<p>Has an impressive Permanent Headquarters Office and Secretariat in Niamey, Niger;</p> <p>Has worked to promote proactive bilateral cooperation in cross-border infrastructural planning and development;</p> <p>Supports relevant cross-border development research;</p> <p>Strongly supportive of cross-border cooperation initiatives and programmes, such as the Nigeria-Niger Transborder Cooperation Workshop of 1989 in Kano, hosted by the then new NBC</p>	<p>Very Strongly recommended for the two State Parties</p>
<p>6. Agreement Between the Federal Republic of Nigeria and the Republic of Niger on the Creation of Local Bilateral Committee Along the Nigeria-Niger Boundary, 1990</p>	<p>Local Bilateral Committees, established in each of Nigeria's border States vis-s-vis, the counterpart Niger's Département</p> <p>Each Committee includes the Local Territorial Admins, Loud Community Leaders, Traditional Rulers, and functionaries of the Border Security Agencies, all on both sides</p>	<p>The Local Bilateral Committees have remained in regular functions;</p> <p>They have consolidated border security and community peace</p> <p>They have ensured peaceful interactions between the Territorial Communities and Authorities</p> <p>They resolve and Prevent Conflicts which, in such areas, are predisposed to being internationalist</p>	<p>Very Strongly recommended along the North-South Sudan Border;</p> <p>The Local Bilateral committees Model is exceptionally strongly recommended to the Parties</p>
<p>7. Convention on Common Frontier Posts Between Nigeria and Dahomey (Benin) August 28, 1961</p>	<p>Joint Border Post at Idiroko (Nigeria) vis-a-vis Igolo (Benin), Idiroko being Nigeria's oldest land border post</p> <p>The model informs the structures in Kweme (Nigeria) and Krake (Benin) near Badary further south</p>	<p>Forged collaborative and friendly operations and relationship between the border security Agency of the two countries</p> <p>Continuous operation calls for relevant capacity-building, the lack of which tends to create occasional conflict</p>	<p>Very Strongly recommended between the two parties</p>

C. Bilateral continued ...

<p>8. The Nigeria-Dahomey (Benin) Treaty of friendship, cooperation and mutual Assistance, August 19, 1970</p>	<p>The Nigeria-Dahomey (Benin) Joint Commission for Cooperation</p> <p>No permanent Secretariat and Structures as with the Nigeria-Niger</p> <p>But meets fairly regularly on a reciprocal basis</p>	<p>#1,000,000 interest-free Loan by Nigeria, to facilitate the all-season road construction linking the Idiroko Border Post in Nigeria with Porto Novo, Political capital of Benin</p> <p>Joint Industries in early 1970s (Cement at Onigbolo and Sugar in Savé, Sabe, both on the Benin side of the border, 1970s)</p>	<p>Recommended for the two State Parties</p>
<p>9. Agreement on Border Management Between the Govt. of the Fed. Rep. OF Nigeria and the Govt. of the Rep. of Benin, 2001</p>	<p>Joint Border Control Premises at Krake, Rep. of Benin</p> <p>Aimed at easing the human and good decongestion at the Post</p> <p>Purposed on Facilitating Free Movt. Of Persons + goods in compliance with relevant ECOWAS Protocols.</p>	<p>Has helped tremendously to douse tensions between Border Control Agency Personnels of the State Parties</p> <p>Has helped to smoothen the operation, especially facilitating free movt of goods & persons.</p>	<p>Strongly recommended for the Parties.</p>
<p>10. Memorandum of Understanding Between the Federal Republic of Nigeria and the Republic of Benin on Cross-Border Issues, August 14, 2003 - Occasioned by a heightened incidence of cross-border crimes that came to involve a tragic armed robber attack on the daughter of the then Nigerian President Obasanjo</p>	<p>Nigeria-Benin Joint Border Patrol</p>	<p>Re-opening of the border closed by Nigeria on August 9 to protest against the intolerable heightening of violent cross-border crimes</p> <p>Arrest of Leading Criminals & repatriating them for trial in Nigeria</p> <p>Effective reduction in violent Property Crimes, especially armed robbery of vehicles and cross-border transportations into Benin</p>	<p>Recommended for Study by the Two Parties</p>
<p>11. Treaty on the Maritime Boundary Delimitation Between the Fed. Rep. of Nigeria and the Rep. of Benin, August 4, 2006</p>	<p>Bilateral Joint delimitation and Demarcation Committee</p>	<p>Work in Progress</p>	<p>Recommended for Study by the two Parties</p>

C. Bilateral continued...

Instrument	Institutions + Mandate	Achievements	Recommendations
12. Agreement on the setting up of Joint Standing Committee on Boundary delimitation Between the Govt. of Fed. Rep. of Nigeria and Govt. of Rep. of Benin, August 4, 2006	The Bilateral Nigeria-Benin Joint Standing Committee on the Boundary Delimitation	Work in progress	Recommended for Study by the two Parties
13. Treaty on Transborder Cooperation Between the fed. Rep. of Nigeria and the Rep. of Benin, based on the recommendations of the historic Bilateral Workshop held in Topo, Badagry, Nigeria May, 1988	Treaty is yet to be signed It is, however, fully engrossed & made ready for Signature	Originating Workshop began a series held by Nigeria with each of her Limitrophe Neighbours Also opened the era of institutionalized Confidence-Building Missions including a regular programme of Joint Border Tours by Nigeria's Minister of Internal Affairs and his counterpart in each neighbouring country	Very Strongly recommended to the State Parties
14. Treaty Between the Fed. Rep. of Nigeria and the Democratic Rep. of Sao Tome and Principe on the joint Development of Petroleum and other Resources in Areas of the Exclusive Economic Zone of Two States (Ralification and Enforcement) Act 2005	Creation of the Nigeria-Sao Tome and Principe Joint Development Zone (JDZ) and Establishment of the joint development Authority (JDA)	This has been an exemplary Win-win Bilateral Arrangement, that provides a very important case for Africa troubled by mostly resource-based border dispute	Exceptionally Very Strongly Recommended for the Management of the North South Sudan Border, and esp. the Abyei sector
15. the Cameroon-Nigeria Land and Maritime Boundary Dispute Between the two Countries, the International Court of Justice, October 10, 1992	The UN-Oversighted Cameroon-Nigeria Mixed Commission 2003 The Agreement Between Cameroon and Nigeria, 12 June 2006 (popularized as Greentree Agreement, so named after the venue of the negotiations in the suburb of New York)	Soft-landed implementation of the ICJ Judgement Helped to assuage the feelings of Affected Populations through an Arrangement that guaranteed their fundamental human and peoples rights and their security	Recommended to the Parties to Note

Key Nigerian Policy Instruments, Institutions and Achievements

D. Multilateral Instruments

16. The Lake Chad Basin Commission Agreement, 1984	The establishment of the Lake Chad Basin Commission	Provided the Auspices for border demarcation in the Basin Award the contract to FGNI of France	Strongly Recommended to the Parties and their Neighbours Over Common Access to wider regional resources like the Nile
17. Treaty Establishing the Gulf of Guinea Commission, Libreville November 19, 199	The Gulf of Guinea Commission		Strongly Recommended to the Parties and their Neighbours Over Common Access to wider regional resources like the Nile

Relevant Border Frameworks and Mechanisms from Outside of Nigeria

Mechanism/ Framework	Operations/ Functions	Achievements	Recommendation
A. National 18. Mali: National Directorate of Boundaries, Ministry of Interior, Territorial Administration and Local Collectivities, Bamako, Mali	Co-ordinates all the nation's boundary issues, notably the borders with neighbouring countries Partnered by the Sahel and West Africa Club (SWAC) of the OECD in Paris	Hosted the Sikasso Symposium on the Policy Concept of 'Pays Frontier', March 4-7, 2002 Embraces the Office of the State's Surveyor-General Functionally equates Nigeria's NBC	Strongly recommended to the Parties as effective and less expensive than Nigeria's NBC . The Cross-Border Area Policy Concept is exceptionally Strongly recommended for Adoption by the Parties
B. Regional 19. ECOWAS Cross-Border Initiatives Programme (CIP), Jan. 20, 2005	CIP = A west African Expansion of the Malian Concept of 'Pays Frontieres' Projection was through the SWAC Special Event, Accra, May 2002	4 Successful Pilot Projects: The Bobbo Dioulasso (Bukina Faso)/Sikasso (Mali)/ Khorogho (Cote d'Ivoire), Sept. 2005 ; Southern Senegambia (Gambia-Senegal Guinea Bessao), Dec. 2005; Zinguinhor (Senegal/Mali) Kano-Katsina-Maradi, Sept. 2007	Strongly recommended to IGAD for the Parties

<p>C. Continental 20. The African Union Border Programme (AUBP), June 2007</p> <p>The Declaration of the First Ever Conference of African Ministers In Charge of Border Issues, Addis, June 7, 2007;</p> <p>Solomn Adoption By AU Council of Ministers Accra, June 26-29, 2007</p>	<p>Cardinal objective Acceleration of Peaceful Border Delimitation and Demarcation</p> <p>Simultaneous Promotion of cross-Border Cooperation based on the integration of Proximity or Cross-Border Areas,</p> <p>Capacity Building based on specialized research and training support</p> <p>Resource mobilization</p>	<p>Based on Funding Support of the German Cooperation Agency (GTZ), significant Progress has been recorded on all the three cardinal objectives, including a regional sensitization workshop in Kampala, Uganda, for Eastern Africa which includes Sudan</p> <p>The British International Development Agency is already active on the matter of Demarcation, Other Development Partners should get involved on the issues CBC & Development</p>	<p>Highly Strongly Recommended for Immediate Implementation by the Parties as members of IGAD & AU</p>
<p>D. International 21. European Outline Convention on Trans-frontier Cooperation Between Territorial Communities and Authorities, 1980/1984</p> <p>22. Association of European Border Regions, the most important single pressure group behind the adoption of the Convention</p>	<p>This Convention, which was opened for signature of member States of the sponsoring Council of Europe in Madrid in 1980, was ratified in 1984; and has since been vigorously implemented</p> <p>The effect, including the adoption by the European economic Community and its transformation into the European union, has been a watershed instrument in the European integration process</p>	<p>Its importance for Africa is evidenced in the Draft African Union Convention on Cross-Border Cooperation, 2009/2010</p>	<p>Strongly recommended for Study by the two Parties and eventual application in their territories</p> <p>Local Border Communities should be encouraged to get involved in the cross-border development process</p>
<p>23. The international Water and Boundary Commission (United States and Mexico Sections), established in 1889</p>	<p>Created to see to the systematic management of the close to 2000 miles of the U.S; -Mexico Border, two-third of it made up of the Rio Grande</p>	<p>Provides a classic example of the need for a governance arrangement for international boundaries</p>	<p>Operation deserves study by the Parties</p>
<p>24. The International Boundary Commission (Canada and the United States), established in 1908.</p>	<p>Meticulous maintenance the longest and geographically the most challenging border in the world, that between the US and Canada.</p>	<p>The success of this governance arrangement is the celebration of the border as the most 'friendly' in the world</p>	<p>Deserves Attention by the Parties.</p>

Notes

1. The proceedings of these landmark workshops have been published: Asiwaju, A.I. and O.J.P Igue, Eds, (1994), *The Nigeria-Benin Transborder Cooperation: Proceedings of a Bilateral Working*, Administrative Staff College of Nigeria, Topo, Badagry, May 8-13, 1988, (Lagos: University of Lagos Press); Asiwaju, A.I. and B.M Barkindo, Eds (1993), *The Nigeria-Niger Transborder Cooperation, Proceedings of a Bilateral Workshop*, Bagauda Lake Hotel, Kano, July 2-7, 1989 (Lagos: Malthouse Press Ltd); and Asiwaju, A.I., B.M. Barkindo and R. Mabale, Eds (1997), *The Nigeria-Equatorial Guinea transborder Cooperation, Proceedings of a Bilateral Workshop*, Metropolitan Hotel, Calabar, November 1992 (Lagos: National Boundary Commission). The publication of the proceedings of the Workshop with Cameroun in Yola, in May 1992 was interrupted; and the workshops with Chad and Sao Tome & Principe, have not been held.

2 See Asiwaju, A.I., Ed. (1993), *Development of Border Regions, Proceedings of the Nigerian National Planning Conference*, Durbar Hotel, Lagos, 10-12 August 1989 (Revised Edition, African University Institute, later, African regional Institute, Imeko, 2007).