DIPLOMATIC NEGOTIATION AND MEDIATION: A COMPARATIVE STUDY OF DIFFERENT APPROACH TO CONFLICT RESOLUTION

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ABSTRACT
Diplomatic negotiation and mediation emerged as critical instruments in conflict resolution; these processes not only aim to halt hostilities but also lay the groundwork for conflict resolution and sustainable peace. The study examined various approaches to diplomatic negotiation and mediation, highlighting their roles in resolving intrastate and interstate conflicts. It specifically focuses on the conflict resolution strategies employed in the Nigerian-Cameroonian Bakassi Peninsula and the Niger Delta conflicts. The study methodology is historical and premised on the use of secondary data. Thus, the study contends that both conflicts involved extensive diplomatic negotiations and mediation efforts, emphasising peaceful resolution over military confrontation. The Bakassi Peninsula dispute was primarily an interstate conflict resolved through legal frameworks and international mediation. At the same time, the Niger Delta crisis was an intrastate conflict resolved through socio-economic solutions and local mediation efforts. The Bakassi dispute relied heavily on the International Court of Justice (ICJ) ruling and the involvement of the United Nations. In contrast, the Niger Delta crisis relied on the Nigerian government's developmental commissions in the region and the Amnesty program. The study concludes that diplomatic negotiation and mediation, when effectively implemented, can lead to lasting peace and stability in any society.

Introduction

Since no human society or country can exist in isolation, all societies and nations, regardless of size, must engage with one another in order to survive and develop. Since conflict is a natural occurrence that arises when individuals, societies, or nations interact with one another, these interactions may occasionally spark and transfer conflict to the individual(s), society(s), or nation(s) (Asanebi, 2021). Throughout human history, conflict has been an inevitable and fundamental aspect of life; even though humans have developed a variety of coping mechanisms,

conflict still arises (Asanebi & Okafor, 2019). Conflict, which can take many forms, including territorial disputes, ethnic tensions, ideological conflicts, etc., poses a serious threat to the stability and development of a nation and the world. Conflict can significantly affect regional power dynamics, international alliances, global security policy, and its immediate effects. For example, the prolonged crisis in Ukraine has compelled the North Atlantic Treaty Organisation (NATO) and other international actors to reconsider their security strategies, in addition to affecting the immediate region (NATO, 2022).

As a result, diplomatic negotiation and mediation become essential dispute resolution techniques that aim to both end hostilities and create the foundation for lasting peace. Diplomatic negotiation and mediation, which are often facilitated by an unbiased third party, often involve direct discussions between disputing parties. The goal is to reach a compromise that addresses the underlying issues and prevents the situation from getting worse. This strategy fosters a sense of accountability and commitment to the pursuit of peace by relying on the party's willingness to communicate and come to a compromise. To help the disputing parties communicate more clearly and find common ground, an impartial mediator intervenes. The mediator helps the parties come to an agreement rather than imposing solutions on them (Jacob & Jackson, 2009).

Diplomatic negotiation and mediation prioritise peaceful resolution over the use of force by fostering a culture of communication and cooperation, they address both the direct causes of conflict and the structural issues that contribute to instability. Diplomatic activities create the foundation for long-lasting peace and progress by fostering mutual respect and understanding between parties (Peter, 2015, & Williams, 2007).

Successful diplomatic negotiations and mediations often combine formal and informal processes and strategies. However, there have been decades of violence in Nigeria, and diplomatic negotiation and mediation have been the main strategies used to put an end to these conflicts and advance enduring peace. Nigeria's complex conflict landscape includes historical grievances, economic inequality, resource competition, religious conflicts and ethnic tensions, etc. For instance, the core of the conflict in the Niger Delta is the struggle for control of resources and the aspiration for greater economic benefits and development of the region. Diplomatic negotiation and mediation have been crucial in resolving this conflict and the Nigerian government has engaged in diplomatic negotiation and mediation processes with regional and international organisations to resolve this conflict and promote dialogue and harmony among its citizens. While reminiscing on the above, the fulcrum of the study is to examine approaches to diplomatic negotiation and mediation, highlighting their roles in resolving both intrastate and interstate conflicts. The study specifically focuses on the conflict resolution strategies employed in the Nigerian-Cameroonian Bakassi Peninsula and the Niger Delta conflicts.

Conceptual Clarification

Conflict

Asanebi and Okafor (2019) define conflict as a struggle or dispute that arises when the objectives and ambitions of two or more individuals or groups, including those for wealth and power, interfere with each other's efforts to achieve their goals. People or groups experience discomfort when such goals, values, and aspirations are not realised in reality because they may act aggressively out of frustration, which frequently leads to conflict. Human needs and pursuits of wealth, power, aspirations, dreams, identity, and ideals, among other things, have led to conflict in every culture and society on Earth (Asanebi, 2021).

Diplomatic Negotiation

Diplomatic negotiation, often facilitated by diplomats or other government officials, involves direct discussions between disputing parties. Finding a compromise that addresses the underlying issues and prevents the situation from worsening is the primary goal. This strategy relies on the parties' willingness to communicate and come to an agreement to foster a sense of ownership and commitment to the peace process (Chester et al., 2007). Whereas multilateral negotiations involve multiple parties, bilateral negotiations only involve two. The negotiation process becomes more

complicated as more people participate because they each bring different goals, interests, and points of view to the table. Successful diplomatic talks usually require skilled negotiators who can manage these complexities and promote agreement between the parties (William, 2007).

Diplomatic Mediation

In diplomatic mediation, an impartial third party helps the disputing parties find common ground and enhance their communication. The mediator assists the parties in coming to an agreement rather than imposing solutions on them. This tactic can work particularly well when there is a lack of trust between the parties because the mediator may help build confidence and encourage fruitful communication (Jacob & Jackson, 2009).

Negotiation and mediation are frequently combined because they offer a methodical way to settle conflicts. The mediator's responsibilities include helping the parties identify underlying issues, facilitate communication, and investigate potential solutions. While an elder or other prominent community leader conducts informal mediation, a trained mediator handles formal mediation. Both intrastate and interstate issues can be resolved with the aid of diplomatic negotiation and mediation. By placing a strong emphasis on cooperation, communication, and understanding, these tactics can contribute to the development of a more stable and peaceful society.

Nigerian-Cameroonian Bakassi Peninsula Conflict

Originating in the colonial era, when European nations drew borders in Africa without considering the native populations and their lands, the conflict between Nigeria and Cameroon over the Bakassi Peninsula is a significant example of an interstate war based on territorial claims. The dispute centres on ownership of the Bakassi peninsula, which is in the Gulf of Guinea and has abundant oil, gas, and fishing resources. Due to its strategic and economic importance, the Bakassi Peninsula became a point of contention. When Cameroon and Nigeria both claimed the peninsula in the 1980s and 1990s, the conflict flared.

While Cameroon relied on the 1913 border agreement between Britain and Germany as well as international law, Nigeria's claim was based on historical ties, the presence of Nigerian communities in the area, and the 1884 border agreement. The dispute escalated into a military conflict between the two nations in the 1980s and 1994, which led to casualties and heightened tensions. To find a legal settlement, Cameroon took the case to the International Court of Justice (ICJ) in 1994. The ICJ's 2002 decision in favour of Cameroon was based on international law and the 1913 border agreement between Britain and Germany, which gave Cameroon sovereignty over the Bakassi peninsula (colonial treaties). The International Court of Justice (ICJ) ordered Nigeria to hand over control of the Bakassi Peninsula to Cameroon. Despite initial resistance and domestic criticism, Nigeria ultimately accepted the verdict, and the actual handover took place in 2008.

The Bakassi Peninsula conflict and its resolution were significantly influenced by a number of important parties and stakeholders. Nigeria's military and government played a significant role in the conflict, making it a major player. Because their identities and means of subsistence were directly impacted by territorial changes, Nigerian populations on the Bakassi Peninsula were crucial. Another important variable in the crisis is Cameroon. The government of Cameroon vigorously pursued its legal and diplomatic claim to the Bakassi Peninsula. Also involved in the conflict was the Cameroonian military, particularly during the military conflicts of the 1990s.

The International Court of Justice (ICJ Report, 2002) was instrumental in resolving the dispute with its 2002 ruling. The court's decision provided a framework for the peaceful transfer of sovereignty and set a precedent for settling similar territorial disputes. The implementation of the ICJ's ruling was made possible with assistance from the United Nations. The United Nations established the Cameroon-Nigeria Mixed Commission to oversee the peaceful transfer of the Bakassi Peninsula and manage any related issues (UN Cameroon-Nigeria Mixed Commission). Lastly, the indigenous and local communities on the Bakassi Peninsula were directly impacted by the dispute and its resolution, and they were also heavily involved in the process of resolving the conflict. Their involvement and cooperation were essential to the successful implementation of the ICJ's ruling

and the maintenance of regional peace (Falola & Heaton, 2008).

The conflict between Nigeria and Cameroon over the Bakassi Peninsula serves as a reminder of the importance of mediation and diplomatic engagement in resolving territorial disputes. The ICJ's intervention provided a legal basis for the resolution, even though the mediation efforts encouraged dialogue and cooperation between the parties. One of the key factors that contributed to the resolution's success was the commitment of Nigeria and Cameroon to respecting international law and the ruling of the ICJ. This commitment demonstrated a willingness to prioritise a negotiated resolution over a military confrontation (ICJ Report, 2002).

The United Nations and the Cameroon-Nigeria Mixed Commission were crucial in ensuring the resolution's successful implementation. The commission's efforts to supervise the transfer of sovereignty, handle local issues, and promote dialogue helped the parties develop trust and cooperation (UN Cameroon-Nigeria Mixed Commission). Nigeria and Cameroon's dispute over the Bakassi Peninsula was resolved, highlighting the importance of diplomatic negotiation and mediation in resolving territorial disputes. The successful implementation of the ICJ's ruling and the UN and Cameroon-Nigeria Mixed Commission's mediation efforts highlight the significance of international cooperation and dedication to peaceful resolution.

Niger Delta Crisis

The Niger Delta crisis is deeply rooted in the region's complex history, environmental degradation, marginalisation, ethnic tensions, etc. Thus, the region is the bulk of crude oil deposits in Nigeria and serves as the nation's livewire of sustainability (Asanebi, 2016). After its discovery in 1956 in the Otuabagi community in present-day Bayelsa State, the benefits were not equitably distributed, leading to widespread discontent among the local communities. The environmental impact of oil extraction has been devastating for the Niger Delta, as oil extraction has severely damaged the ecosystem, affecting the livelihoods of the local population who rely on fishing and farming. The lack of adequate compensation and remediation efforts by the multinational oil companies and the federal government of Nigeria further exacerbated the grievances of the local communities. To the Nigerian government oil in the Niger Delta is the national interest of the nation, and its exploitation should not be disrupted. On the other end of the divide are the Niger Delta oil communities, who completely disagree with the position taken by the government. To the communities, oil is their God-given resource and exploitation should have direct positive impacts on their lives and environment (Doder, 2012). This led the Movement for the Emancipation of the Niger Delta (MEND) to pontificate that:

> *Niger Delta wealth should be used to develop the Niger Delta region and not to oppress Niger Delta citizens (Extracted from Asanebi, 2014).*

The Nigerian government and multinational oil companies failed to honour the yields and aspirations of the Niger Delta people towards their region and resources. Angered by this development, some youth of the region established armed groups, such as the Movement for the Emancipation of the Niger Delta (MEND), the Niger Delta Avengers (NDA), the Niger Delta People Volunteer Force (NDPVF), the Niger Delta Vigilante (NDV), the Egbesu Boys of Africa (EBA), and the Niger Delta Strike Force (NDSF), etc., demanding greater control over the region's resources and compensation for the environmental damage caused by oil extraction. These groups carried out attacks on oil installations, kidnapping, and other forms of violence to press their demands. They adopted violence to draw attention to the plight of the local communities and press for their demands. Their operations and activities have had a substantial impact on Nigeria's oil production and security.

Despite being criticised for their poor management of environmental issues and their role in the region's economic marginalisation, the multinational oil companies operating in the Niger Delta region are another key stakeholder in the crisis, in addition to the local oil communities and armed groups, their operations caused significant environmental damage. The Nigerian government is another key stakeholder in the Niger Delta crisis. Its policies and actions significantly influenced the cause of the conflict. The government's failure to address the grievances of the local communities and its reliance on military force to quell unrest are major points of contention (Okonta & Douglas, 2003). Finally, the international community, including organisations such as the

United Nations and various non-governmental organisations (NGOs), was involved in the Niger Delta crisis. These actors provided humanitarian aid, advocated for environmental justice, and facilitated dialogue between the conflicting parties (UN Cameroon-Nigeria Mixed Commission).

Addressing the Niger Delta crisis required a comprehensive approach that includes true environmental remediation, economic development, and political reforms to address the underlying grievances of the local communities. The diplomatic negotiation processes in the Niger Delta crisis have been multifaceted, involving various stakeholders and strategies aimed at addressing the root causes of the conflict. The Nigerian government, recognising the need for a peaceful resolution, initiated several negotiation efforts to engage with the militant groups and local communities. A few of the most significant diplomatic efforts were the Niger Delta Development Board in 1960 (NDDB), the Oil Minerals Producing Area Development Commission in 1999 (OMPADEC), the Niger Delta Development Commission in 2000 (NDDC), and the Ministry of Niger Delta Affairs in 2008 (MNDA) to address the region's issues, such as environmental degradation, poverty, unemployment, and infrastructure decay, etc., and the introduction of the Amnesty Program in 2009 by President Umaru Musa Yar'Adua. The amnesty program offered unconditional amnesty to militants who agreed to lay down their arms and participate in the disarmament, demobilisation, and reintegration process.

The amnesty program resulted from prolonged negotiations between the government and militant group leaders, which were assisted by mediators and international organisations. The initiative sought to address the militants' grievances, which included calls for more control over the region's resources, compensation for environmental destruction, and socioeconomic growth, among other things. The negotiations also included discussions about providing vocational training, education, and employment possibilities for ex-militants to help them reintegrate into society. Mediators played an important role in resolving the Niger Delta issue by bridging the gap between opposing sides and facilitating communication. The mediation process involved a variety of parties, including local leaders, non-governmental organisations (NGOs), and international bodies.

The Pan-Niger Delta Elders Forum (PANDEF), a coalition of traditional elders, political figures, and civil society organisations from the Niger Delta, was involved in one of the noteworthy mediation efforts. PANDEF served as a go-between for the government and the militant organisations, representing local communities' interests and making sure their opinions were heard during the talks. These mediation efforts produced noteworthy results (Okonta & Douglas, 2003). More than 30,000 militants were disarmed as a result of the amnesty program, which also decreased violence and increased oil output.

The conflict resolution tactics used during the Niger Delta crisis demonstrate the significance of a thorough and inclusive approach to conflict resolution. Thus, the developmental commissions helped to rebuild people's trust in the Nigerian state, while the Amnesty program effectively reduced violence and facilitated disarmament. The establishment of the numerous commissions, as well as the emphasis on conversation and negotiation, were among the resolution techniques primary assets. By engaging militant groups and local communities, the government was able to establish trust and a sense of ownership in the peacemaking process.

Comparative Analysis of Diplomatic Negotiation and Mediation Approaches to the Nigerian-Cameroonian Bakassi Peninsula Dispute and the Niger Delta Crisis

The Nigerian-Cameroonian Bakassi peninsula dispute and the Niger Delta crisis are two separate but significant disputes in Nigerian history. Both disputes required diplomatic negotiation and mediation to be resolved, but the tactics used differed significantly.

Similarities in the Approaches

1. **Diplomatic Engagement:** There were lengthy diplomatic negotiations in both conflicts. While the Nigerian government established the amnesty program to interact with and withdraw militants from the creeks and developmental commissions to address the region's problems, the International Court of Justice (ICJ) was crucial in providing a legal framework for resolving the Bakassi Peninsula dispute.

2. **Mediation Efforts:** In both situations, mediation was essential. While the Bakassi Peninsula was peacefully turned over with the help of the UN and the Cameroon-Nigeria Mixed Commission, the Niger Delta conflict was handled by several mediators, including local leaders and non-governmental organisations (NGOs).

3. **Focus on Peaceful Resolution:** Peaceful resolution was given precedence over military conflict in both strategies. The International Court of Justice's Bakassi judgement and the Niger Delta Amnesty program both placed a strong focus on communication, cooperation, and compromise.

Differences in the Approaches

1. **Nature of the Conflict:** The Bakassi Peninsula dispute was an interstate conflict between Nigeria and Cameroon centered on territorial claims. In contrast, the Niger Delta crisis was an intrastate conflict involving local communities, militant organisations, and the Nigerian government, fuelled by concerns over resource control, environmental degradation, underdevelopment, and marginalisation, among other things.

2. **Legal Framework and Socio-Economic Solutions:** While the Niger Delta conflict necessitated socio-economic solutions, such as the disarmament, demobilisation, and reintegration (DDR) of militants, as well as developmental commissions and projects to address underlying grievances, the Bakassi dispute was resolved primarily through international law and the ICJ's decision.

3. **International and Local Mediation:** International organisations, such as the United Nations and the International Court of Justice, gave the Bakassi issue a lot of attention. Local leaders, non-governmental organisations, and international organisations all played significant roles in the Niger Delta crisis, which, on the other hand, required more localised mediation efforts.

Despite these parallels and differences, the diplomatic negotiations and mediation efforts in the Bakassi Peninsula issue were very successful. A clear legal framework for resolution was established by the ICJ's ruling, and the United Nations and the Cameroon-Nigeria Mixed Commission's mediation efforts enabled a peaceful transfer of sovereignty. When the ICJ's ruling was successfully put into practice in 2008, it marked a significant turning point in international conflict resolution and demonstrated the importance of using both legal and diplomatic channels to resolve territorial conflicts. The diplomatic negotiations and mediation attempt in the Niger Delta conflict were also successful, albeit with some hurdles. In their projects, the various commissions attempted to promote regional development. The various commission projects aimed to advance regional development, and the amnesty program led to the disarming of over 30,000 terrorists and a decrease in bloodshed, significantly improving regional security. The mediation efforts of international organisations and local leaders helped to build trust and facilitate communication between the opposing parties, but their long-term success depends on ongoing socioeconomic growth and addressing the underlying causes of environmental degradation, underdevelopment, and marginalisation, among others.

The Nigerian-Cameroonian Bakassi Peninsula conflict and the Niger Delta crisis both highlight the importance of diplomatic negotiation and mediation in settling conflicts. Despite their divergent approaches, both initiatives depended on dialogue, compromise, and amicable settlement to accomplish their objectives. The effectiveness of these strategies emphasises the need for a comprehensive, inclusive conflict resolution plan that is tailored to the particulars of each disagreement.

Conclusion

Using the Bakassi peninsula and the Niger Delta crises as case studies, the study examined diplomatic negotiation and mediation as means of analysing different conflict resolution strategies. When accomplished effectively, diplomatic negotiation and mediation can result in lasting peace and stability in any society. The success of these strategies in the Bakassi Peninsula conflict and the Niger Delta crisis highlights how crucial it is to keep putting

dialogue, peace, cooperation, and development first to address the root causes of conflict and establish lasting peace.

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