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Abstract

Water is a vital resource for nation states. It is a resources that neither knows nor respect nations boundaries, as such, this makes riparian states vulnerable to conflict. The water conflict in the lake is a unique and complicated situation because it is a transnational lake shared by four riparian states – Chad, Cameroon, Niger and Nigeria. Water conflict in this area is mostly triggered by two major factors such as unilateral decision by upstream riparian state in constructing dams for domestic and industrial purpose which severely affects the downstream riparian water security issues; and the potential for competing claims over the newly established islands as a result of receding waters of the lake chad. Even though, the Lake Chad Basin Commission (LCBC), an intergovernmental organization set in place to solved the water dispute in the lake chad area, some problems are still unresolved which is an important social and security related issues. This paper, therefore, is a historical presentation aim at exploring the history of water conflict among riparian states in the lake chad basin using qualitative method mainly secondary sources of data. Given the volatility of water disputes, this study would enlighten nations with similar situations as those of the Lake chad to work out a sharing formula that would minimize water conflict.

Keywords: *water conflict, water cooperation, riparian states, Lake Chad Basin Commission & Lake Chad.*

Introduction

The history of water conflict in the world can be dated back to over thousand years in 2400 BC, in the cities of Umma and Lagash not laying far from each other in southern Mesopotamia, close to the region where waters from the

Tigris and Euphrates merged (Reade, 2000). The location of the border between the two cities was a constant source of friction because places with best water resources tend to become attractive for settlement and later on center of conflict. This water conflict was regarded as one of the oldest in the history of world water conflict.¹

Perhaps, Africa has a long history of water related conflict and a good example is provided by the Manantali dam at the Senegal River hut. The governments of Mauritania and Senegal became entangled in the conflict - anti-Senegalese riots in Mauritania and anti-Mauritanian riots in Senegal forced tens of thousands of people to flee and hundreds of people were killed, while skirmishes between the militaries of both states brought them to the brink of war. The prominent case of the Nile River basin, which provides an example of a “water war” danger; It is often regarded to be a special case as the entire economic development of the downstream riparian state of Egypt solely depends on the waters of the Nile. Egypt which is the most powerful riparian state in both economic and military terms has declared that any unilateral activity by co-riparian states is a national security issue. In addition to the Nile, there are other potential hotspots of tension and thus possible conflict escalation in the world, however, the basins at risk identified in Africa are: Lake Chad, Incomati, Kunene, Limpopo, Okavango, Orange, Senegal, and Zambezi (Wolf et al, 2003).

This paper is a historical presentation aim at exploring the history of water conflict among riparian states of the Lake Chad. The study will look at the four riparian states of Chad, Cameroon, Niger and Nigeria due to their direct contact with the Lake. The main sources of data in this study were mainly secondary sources to address the following questions: Why is water a contentious issue in the areas of the Lake Chad basin? Is there any water conflict among the riparian states of the Lake Chad basin? How has the construction of dams by the upstream riparian states led to conflict? Is there

¹ Water conflict chronology compiled from www.waterworld/conflict/timeline

any cooperation mechanism put in place to regulate water conflict among the riparian states of the Lake Chad basin? The paper argues that management of water at international and domestic levels throughout history has been a source for interstate conflict and cooperation. Given the volatility of water disputes, this study would enlighten nations in similar situation as those of the Lake Chad basin to work out a sharing formula that would minimize conflict among riparian states.

LAKE CHAD WATER

The Lake Chad² is a transboundary water resources, located in the west-central Africa sub regions and the fourth largest lake in Africa after Nyassa, Tangayika and Victoria, as well as the second largest endorheic lake³ in the world (Hall, 2009). It is situated in an area that is mostly arid or semi-arid around south of the Saharan desert which covers 2,434,000 km² with a shallow (4 to 10 meters) body of fresh water and having approximately 35 million people (Magrin, 2016). Its sources of water usually comes from three main drainage system; the Chari-Logone River in Central African Republic, the Komadugu-Yobe river in Nigeria and the Yedsaram/Ngadda river in Cameroon (Okpara et al, 2015).

Lake Chad was once the sixth largest lake in the world, with a surface area of about 25, 000km² in the early 1960's, back then it was known as "Mega Chad", but, it has shrunk to 1,350km² losing almost 96% of its waters (Hall, 2009). The Lake straddled the countries of Chad, Cameroon, Niger and Nigeria, providing water for fishing, domestic use, hydro-electric power generation and agriculture, but nowadays it has dried out so much that actually only two countries – Chad and Cameroon- share it in narrow sense (Treszkai, 2018). This is why the discussions about the lake's receding was

² It was also known as the Lake Megachad in the 1960's. The name Chad is a name given after the Chadians who lived around the lake in the sixteenth century by an author and imam Ibn Fortu

³ Endorheic means the lake that has only input tributaries and its waters do not empty into another river but usually ended in the lake.

often reference to the 1960's. Water diversion associated with the construction of large irrigation and water development as well as Stream flow modification are identified as contributory factors in the receding of the basin over the periods 1970-2013 (Okpara et al, 2015).

RIPARIAN STATES WATER DEVELOPMENT PROJECTS

In the 1970's, after the Lake Chad basin was hit by severe droughts, the four riparian states initiated a national hydrological projects by constructing dams on the Lake Chad's main tributaries in order to meet up with the demand of water for national development (Magrin, 2014). For instance, on the Chari-Logone River, which is a river system that consists of streams and rivers from Chad, Cameroon and the Central African Republic. At the initial stage, it provides 90% waters of the Lake Chad and stretches around 1,400 km and its basin covers 650,000 km and over the years, the lakes water discharge dropped at 55% (Zhu et al, 2019). On this river system, the Maga Dam was built on the upper part of the Waza-Logone flood plains in 1979 and spans 30 km with a catchment area of about 6,000 km². It was built in order to improve food security problems by fish farming, rice cultivation etc. (Hall, 2009). Instead, it damaged the flood plain and decreased the economic value of the area as it affects the downstream population and the environment as well as reduced the size of discharge water into the lake.

In the same vein, on the Komadugu-Yobe river system which is around 148,000 km and consists of rivers converging into the Yobe River, is a vital economic center for the region's population despite it provides less than 2% of the lake waters and supports the Hadejia-Nguru wetlands (Hall, 2009). This river system, like the Chari-Logone river system is a transboundary system that flows from Nigeria through Niger and ended in the Lake Chad. It was also dammed in other to meet water and agricultural demands of its riparian states. For example, in Nigeria, the planned irrigation under water management works is estimated at 185,000 ha, of which only about 32,000 ha have been irrigated completely. In 1973, Nigerian government initiated the South Chad Irrigation Project in 1973 and built two (2) dams on the

Yobe, these are the Tiga dam and the Chalawa dam in 1974 and 1992 respectively (Hall, 2009). These two dams reduced the water runoff by 60%, and left only 1% to reaches the Lake, as a result, they virtually disrupted the natural balance of the water and thereby resulted in water low level, and consequently generated continuous tension in the Lake Chad basin.

These projects directly affected the downstream economies, as riparians increasingly diverted the lake's water upstream, a number of conflict emerged during the 1980's and 1990's, decline in fisheries, reduced available water for pastoralism and farming. Perhaps, these water projects were conducted unilaterally by upstream riparian states without consulting the downstream states.

WATER CONFLICT AMONG RIPARIAN STATES

Water is so vital to the survival of nation states for strategic reasons in the international system, as nation states struggle to control and utilize this resource towards their survival, development and consolidation. Water resources can be a matter of life and death, an instrument for economic survival and growth, depending on how it occurs and managed. There are more than 260 rivers in the world that transcend international boundaries and are used by two or more riparian states. For instance, Africa has over 80 major trans-boundary river and lake basins, some of which are the largest in the world. These rivers and lakes, in combination with some large aquifers, offer great opportunity for developing and sharing the full potential of water resources of the region for household needs, hydropower generation, agriculture and aquaculture production, navigation, industrialization and other needs. Hence, it is easy to imagine the number of potential international water conflicts as a result of unilateral activity by a riparian states which usually affects the quantity or quality of water flowing down a shared river system and therefore, become a bond of contention. Nevertheless, water conflict among the riparian states of the Lake Chad basin is a typical example of such scenario.

Similarly, apart from unilateral activity by riparian states, water conflict among riparian state of the Lake Chad can be traced back to the European colonization of Africa (Okpara et al, 2015). While administering colonies in West Africa, the Empires of France, Germany and Great Britain attempted to delineate the borders of the four riparian states of the Lake Chad area – Chad, Cameroon, Niger and Nigeria. However, after these countries gained their independence in the 1960's, the borders were unclear and therefore, Cameroon recognized the Lake Chad borders delineated in the Thompson/Marchland Declaration of 1929, as this declaration specified the tri-border point with a straight line drawn to the mouth of the Ebeji River. Nigeria argued that the declaration were preliminary in nature and not binding and therefore rejected the Thompson/Marchland Declaration. As the surface water of the Lake changed, territorial conflicts between riparian states emerged.

NIGERIA AND CAMEROON WATER CONFLICT

In 1981, tension and military encounters took place between Nigeria and Cameroon in the oil rich areas off of Rio del Rey which led to loss of lives and properties. This water conflict has its roots in the receding of the Lake Chad waters, the region's population increase and undermined borders. Unfortunately, Nigeria's shoreline receded rapidly compare to other riparian states, to the extent that Nigerian fishermen had to follow the disappearing waters of the Lake Chad. In doing so, they ended-up creating a resting places on newly formed island. The first established area was Katti Kime in 1959, and more resting places like Darak, Naira and Ramin Drinna eventually became villages throughout the 1960's as the shoreline continue to recede (Hall, 2009). According to Ethan, about 60,000 Nigerians followed the receding water from 1959-1994, engaged in fishing and cultivating their crops within the Cameroon's borders. To this end, the Nigerian government began to treat them as sovereign territories and eventually, the state levied taxes provided them with military and police forces, health centers, appointed village leaders known as Bulama, established a public school systems, established fishing regulations and award licensed to fishermen,

hence they regard themselves as Nigerians residing in Nigerian Territory (Hall, 2009). On the other hand, Cameroonian government viewed this act as acquisition of its territory and therefore accused Nigerian government of violating international obligations, under treaty and customary international law, by occupying, with the support of its security forces, parcels of Cameroonian territory in the area of Lake Chad.

After years of disputes, the Cameroonian government took the matter to the International Court of Justice (ICJ) in 2002 and the court's judgment was decided in line with the Thomson/Marchland Declaration favor. Nigerian government was however, asked to remove all public services and withdraw the military forces from that area (Treszkai, 2018). In December 2003, the United Nations (UN) office for the coordination of Humanitarian Affairs, reported that the first Nigerian villages within Cameroonian territories are now under the Cameroonian government. Perhaps, water conflict was resolved, but potential conflicts continue to threaten the stability of the region.

NIGERIA AND CHAD WATER CONFLICT

Like in the Nigerian and Cameroon water disputes, Nigerian farmers and fishermen as well followed the receding lake and began to settle down in the Chadian territory of the lake (Ani & Uwizeyimana, 2020). Border disputes erupted to armed conflict over waters of the Lake Chad between Nigeria and Chad in 1983 when Chadian soldiers, about three thousand (3,000) of them attacked and occupied nineteen islands and six villages that belongs to Nigerian citizens (Ani & Ojakorotu, 2018a; Ani & Ojakorotu, 2018b; Ani, Ojakorotu & Uwizeyimana, 2019). The Nigerian army deployed four thousand soldiers to counterattack by invading the territory of Chad and stopped at 50km distance from N'Djamena which is the capital of Chad (Treszkai, 2018). Until 1986, the border of Nigeria and Chad was closed as a result of this short war (Treszkai, 2018) despite settlement between the countries ended this dispute, the ambiguity of their legal status has rendered the islands a political no man's land lacking legally defined national

affiliation, which has in recent years been occupied by Boko Haram insurgent group.

Water scarcity, however, was regarded as a fundamental reason for this military operations because prior to this attack, Chadians and Nigerians lived in harmony, peace and quietly shared the waters of the Lake Chad, until when the lake started drying up. In 2015, these countries came together to form a military alliance to fight against the Islamic Terrorist Organization popularly known as the Boko Haram, which pledged allegiance to establish an Islamic State. This organization aim is the enemy of the “west” and to fight against government, that was why they attacked the military and police at the beginning, but it later on, they extend their attack on civilians as well as occupying territories. Although, the Lake Chad Basin Commission countries in collaboration with the United States and France, launched a military operation against this organization, they launched occasional attack and is regarded as an active actor in the Lake Chad area.

WATER COOPERATION MECHANISM IN THE LAKE CHAD

With the initiation of dam building and various water development projects, water sharing has been a major concern, particularly to the downstream riparian states and international law is not clear on the shared water courses, rivers or cross border aquifers. Water cannot be owned, but the methods by which an individual, a group, a legal entity or a nation can store, transfer and regulate the flow of water, makes this nation in control. Riparian states negotiate agreements using a mixture of both bilateral and multilateral negotiation, thereby, establishing right of use over water. Such mixture is often contradictory and in itself a cause of conflict, which sometimes lead to successes or failure in achieving cooperation over the control and use of water between the upstream and downstream riparian states. It is within this context that this section discusses treaties signed among riparians in the use and management of water in the Lake Chad at multilateral levels.

The Lake Chad Basin Commission (LCBC)

Lake Chad Riparian's water cooperation is conducted within the Lake Chad Basin Commission (LCBC), which is one of the oldest multi-lateral basin organization in Africa. It was created on 22nd May, 1964 by the Fort Lamy (N'Djamena) Convention and Statutes by the heads of state of Nigeria, Chad, Niger and Cameroon as charter members. Indeed, in 1985 Summit, the LCBC was given a mandate to expand the basin riparian states jurisdiction from 966,955 to 1,035,000 square kilometers to include the following countries, Central African Republic (CAR) 1994 and Libya in 2008 to raise the current membership to six. Republic of Congo, Egypt, Sudan and the Democratic Republic of Congo with observer status.

The LCBC is a multi-lateral organization to equitably manage resources, promote economic development and maintain peace and security in the basin (Mamman, 2018). The convention guarantees the sovereign rights of every riparian states over the waters of the Lake Chad water resources and prohibits any unilateral exploitation of the waters of the Lake Chad within its territories against the interest of co-riparian states in the basin. In addition, the rights of member states to plan projects in consultation with the LCBC was also recognized within the conventional basin (Bande: 2010). The organization is also expected to work hand in hand with the riparian states in order to address water sharing, conservation and management of the Lake resources as well as engaging in diplomacy to resolve water related conflict in the basin.

There are some international organizations and partnership that supported the LCBC. For example, international Court of Justice (ICJ) mediates disputes among co-riparians states whenever the need arises and the African Union (AU) has strengthened mandate of the LCBC to deal with cross border insurgencies and Boko Haram for example. Similarly, organizations like, UNEP, IUCN, WWF, FAO and the World Bank are integrated in the Lake Chad commission's political networking (Asah, 2015). The World Bank and IUCN (together with the British, Dutch, Nigerian government and LCBC)

for example, were involved in the development of irrigation projects and designing legal frameworks for water allocation respectively in the Lake Chad area (Asah, 2015). These partnership has influenced cooperation processes as well as management of transboundary resources through the LCBC. However, since 1964, the Lake Chad basin countries adopted several strategies to prevent the emergence of conflict among the communities as well as riparian states in the Lake Chad. These include: the establishment of the LCBC, periodic consultations, regulatory provisions, border management, military cooperation, stabilization program and sustainable development (Mamman, 2018).

Major Efforts by the LCBC and its Partners

Lake Chad riparian states and LCBC have engaged in a number of joint water management initiatives with the support of a number of international organizations for an urgent needs to restore and protect the waters of the Lake Chad (Onuoha, 2010). In doing so, the “Transaqua” project was undertaken in order to transfer the waters of the Congo Basin into the Lake Chad (Onuoha, 2010). This project is a genuine proposal to replenish the shrinking waters of Lake Chad by channeling about 2,600km canal from the Central African Republic of Congo to meet the Chari River that feeds into the freshwater Lake. The Transaqua project was ratified by the Nigerian government in partnership with the United Nations Development Project, the Chinese and Italian state owned engineering company Power China and the Bonifica respectively (Findlay, 2018).

In 2002, the Lake Chad Water Charter (LCWC) was adopted in order to define water management and wetland management objectives based on shared concerns. This charter also seeks to define responsibilities of national and regional authorities as well as to create the monitoring and sanctioning mechanisms needed to make agreements enforceable.

Furthermore, in an attempt to consolidate its position as a powerful transboundary institution, the LCBC began to include a broader security and

military mandate for the riparian states to jointly counter the Boko Haram insurgency, mainly through the Multinational Joint Task Force (MNJTF). At a meeting in London in 2014, the combined militaries of Chad, Cameroon, Nigeria and Niger, (MNJTF) promised to deploy 3000 troops as well as exchange of intelligence and mainstreaming of border controls (Comolli, 2015).

Limitations of the LCBC

Riparian states of the Lake Chad have been united to reap the benefit of coming together as well as to resolve their challenges. According to Mamman (2018), there are some factors, some self-made and others beyond their control which have become a stumbling block towards achieving these desired goals. These include; the four riparian states have neglected the region thereby resulting to lack of development; environmental challenges such as drying of the lake and desertification; and resultant humanitarian crises and terrorism.

Other factors that are also stood in the way towards the implementation of projects in the Lake Chad region includes among others, lack of experts and personnel both at the national and international level. Similarly, there is the failure of international agencies to effectively involve in the coordination of restoration projects in their regional partners. More so, the increasing Boko Haram threat is a major obstacle towards the technical implementation of projects, such as the Transaqua project.

It is important to point out that basin wide cooperation is challenged by power imbalances between riparian states. For example, Nigeria is the largest donor and accommodates three quarters of most irrigated land in the basin and therefore exerts a considerable influence over agreed outcomes, security strategies and development (Asah, 2015)

CONCLUSION

Freshwater has become relatively scarce in many part of the world - especially in the Sub-Sahara Africa - because it is the core of human

existence. The Lake Chad which is located in west-central Africa has a dynamic nature in its shape, size and depth as it is constantly changing in response to variations in rainfall, temperatures as well as construction of water projects by the riparian states for national interest. As a result of rapid receding/shrinkage of the Lake Chad waters over the years due to stream flow modification and water diversion such as the construction of Yaguou-Tekele Dyke, Maga, Alau, Tiga, and Yeders dams on its main tributaries, water conflict eventually erupted among the riparian states. Perhaps, despite the establishment of the Lake Chad Basin Commission in 1964 as a multi-lateral organization to equitably manage resources, promote economic development and maintain peace and security in the basin, sustainable water management cooperation between riparian states remain a challenge in the Lake Chad basin, both for national government and international organizations involved in the area.

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