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Paradiplomacy and the Governors' Forum: Rethinking Transboundary Water Governance in the Lake Chad Basin

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ABSTRACT: The paper investigates the Lake Chad Basin's complex multilevel water governance framework. It highlights the involvement of subnational governments in this framework as a notable deviation from traditional international relations practices. While arguing that the involvement of subnational governments, facilitated by the Lake Chad Basin Governors' Forum, can enhance regional cooperation and sustainable water resource utilisation, the paper suggests that the resulting change in thinking has significant implications for the theoretical foundations of international relations. Although exploratory, the paper offers a few recommendations that could help combat the possible negative consequences of this development on statehood and the interaction within the water governance framework in the Chad Basin area.

KEYWORDS: Lake Chad Basin governance, paradiplomacy, transboundary resource management, regional cooperation, sovereignty, Lake Chad Basin

INTRODUCTION

Water is a multidimensional resource crucial for the survival of persons, nations and their socio-economic development. Beyond direct household consumption, water finds use in various industrial and manufacturing processes such as computer chip manufacturing, mechanised agriculture, and power generation (Prud'homme, 2011; Yu et al., 2019). It also forms the backbone of international trade and the global economy as around three-quarters of global trade by volume and value is transported over water (Brookes, 2011; UNCTAD, 2018; OECD, 2019). Access to water and water resources has also been pivotal to the rise and fall of communities and the relations between territories that depend on this critical resource for survival and development. Its use and allocation become political when it crosses national borders through transboundary water bodies such as aquifers, lakes and river basins shared by multiple countries (Keskinen et al., 2021). Shared water can thus be the basis for the hydro-socio-economic links between communities and countries (UN Water, 2023).

The function and role of transboundary water bodies have come into sharp focus due to the increasing pressure on water resources caused by climate change and a variety of issues. An example of the latter is the issue of access, which leads to the contention that limited access to quality water violates human rights. Poor access to good quality water creates difficulty for individuals and economies and has often catalysed conflict; and also led to the design of systems that are aimed at promoting and fostering diplomacy in the context of the use of transboundary water bodies and the prevention of water conflict (United Nations General Assembly, 2010; Salman and McInerney-Lankford, 2004; Hotlos, 2008). The need to avert transboundary water conflict underpins the Singapore – Malaysia water agreements, which can be described as a testament to what can be achieved when an international resource governance

framework for managing transboundary water is instituted (Ministry of Foreign Affairs Singapore, 2021). On the other hand, the disquiet associated with the construction of the Grand Ethiopian Renaissance Dam is a corollary of the absence of the same (Wheeler et al., 2020; Mbaku, 2020). Thus, an effective governance framework is needed to manage transboundary water resources. This is as important on the African continent as elsewhere. There, 63 transboundary river basins account for 64% of the continent's land area (Yamamoto, 2013). Many of these have been at the centre of water-related conflicts over the last century (Peña-Ramos et al., 2022).

This paper examines the water governance framework in the Lake Chad Basin (LCB). In it, we argue that the involvement of subnational governments in the framework that operates under the auspices of the Lake Chad Governors' Forum on Stabilization, Peacebuilding and Sustainable Development (Governors' Forum) is a notable deviation from traditional international relations practices. Although the Governors' Forum was established to counter the impact of the Boko Haram insurgency and associated conflicts on the riparian states in the Lake Chad Basin area, it has created an opportunity for transboundary water paradiplomacy. Paradiplomacy is a term that refers to the engagement in transboundary relations of sub-state units with other sovereign states, their units, or non-state actors. It occurs through formal and informal channels, parallel to, or alongside, the diplomatic activities of the central government of the sovereign state as well as any foreign manifestation of constitutional competencies by sub-state units (Keating, 2000; Michelmann, 2009a; Cornago, 2010; Chaloux and Paquin, 2013; Kuznetsov, 2015; Martínez, 2017; Liu and Song, 2020). It also describes the transboundary interactions of Indigenous groups (Meissner and Warner, 2021).

That said, the paper is not an evaluation or an outcome analysis of the effectiveness of the Governors' Forum or its impact on regional stability or water resource governance in the LCB region. Instead, the focus is on highlighting this change in the governance dynamics of the water resources of the Lake Chad Basin and its theoretical implications. In this regard, it presents three key implications of the evolving role of subnational entities in managing transboundary water resources in the LCB: the erosion of the dichotomy between domestic and international policy space, the introduction of complexity into the multilevel water resource governance framework, and the potential for promoting environmental democracy and paradiplomacy in the Basin. As such, the paper's relevance is that it highlights the presence of subnational governments in a space conventionally reserved for traditional subjects of international law and the fact that it furthers an understanding of this development in the LCB (i.e., the engagement by subnationals in transboundary water governance alongside nations and regional and international organisations). Hence, it is an exploration of a manifestation that essentially is a departure from conventional practice in international relations. The scope of this paper includes an identification of the causes of this development and an assessment (albeit preliminary) of its implications.

The paper has seven parts. Following this introduction, the second section espouses the paper's methodology, while the analytic framework of the paper is presented in the third section. In addition to contextualising and establishing the Lake Chad Basin as a complex and multidimensional locus, the fourth section provides a foundation for the analysis of the impact of subnational governments in the Basin's governance framework in later sections of the paper. The fifth section examines water resources governance in the Lake Chad Basin. In this regard, it focuses on the Lake Chad Basin Commission, examines the water governance frameworks of riparian states and their limitations as well as highlights the role of the Governors' Forum as a unique platform for regional paradiplomacy and its implications. The fifth section examines the region's water-related interaction and governance framework. It highlights the emergence of paradiplomatic interactions within the region's multilevel governance framework for transboundary water management. Analysis of the presence of subnational governments in transboundary water management, and its implications for sovereignty, governance complexity, and environmental democracy are the focus of the sixth section. The paper concludes with section seven which summarises findings and stresses the innovative nature of the Governors' Forum in transboundary water governance, amongst other things.

METHODOLOGY

In the paper, we used an exploratory – qualitative case study approach to examine the actorness of subnational governments in the water governance framework of the Lake Chad Basin, the implications of their presence in the framework and their involvement in international relations. The choice of methodology allowed for the presentation of a contemporary phenomenon (i.e., the introduction of subnational government into international governance and relations processes) within the specific locale of the Lake Chad Basin (Mills et al., 2010). The methodology also allowed for the presentation of the uniqueness of the Basin and the nature of the consequential interaction. The exploratory nature of the research is a consequence of the novelty of the subnational governments' presence in international governance and relations processes in the region. The exploratory nature also allowed for flexibility concerning the identification of emerging themes and the development of understanding of the paradigm shift brought about by the presence of subnational entities; especially as their involvement relates to state sovereignty and the traditional conception of the actors (and their roles) in international relations (Swaraj, 2019). Given the paucity of research focused on this in the context of Africa, using an exploratory approach was crucial to knowledge creation in this regard and the provision of future research direction.

Although primarily exploratory, the paper also possesses a descriptive-cum-analytic dimension. The former is a consequence of its outlining of the current water resource governance framework in the Lake Chad Basin region, the role of traditional actors, and the structure and role of the Governors' Forum. The analytic dimension emerges as we examine the participation of subnational governments in transboundary water diplomacy and governance through the lens of traditional international relations theory. This allowed for a critical assessment of how this contemporary development challenges the orthodoxy associated with international foreign relations (Omiunu and Aniyie, 2022).

ANALYTIC FRAMEWORK

As stated above, paradiplomacy refers to the involvement of sub-state units in transboundary relations with sovereign states, with their subdivisions, or with non-state actors. As a concept, paradiplomacy has undergone distinct evolutionary phases and this has led to different descriptions of its form. Current contemplation of its form includes transborder regional paradiplomacy (where the relationship is between subnational governments that are contiguous but on opposite sides of a border), transregional paradiplomacy (where the relationship is between subnational governments that are geographically distant but in contiguous states), global paradiplomacy (where the relationship is between subnational states that are geographically distant from each other), or single-themed paradiplomacy which encompasses the coming together of subnational governments to address the specific structural challenges and the attainment of mutual interest like the development imperatives and environmental sustainability (Ayandele, 2021; Martínez, 2017, 2018; Tavares, 2016).

Paradiplomacy, which was introduced and promoted by Soldatos (1990) and Duchacek (1990), challenges the orthodoxy of the Westphalian concept of statehood because, on a conceptual level, it questions the traditional view of international relations as the exclusive study of relations between states, while on a practical level, it undermines the sovereignty claims of states (Wolff, 2007). Paradiplomacy also provides subnational governments with a means of becoming actors, along with their respective central governments, in the international space (Omiunu and Aniyie, 2022). In the context of the LCB, in addition to the foregoing, it accounts for the (in)dependent or (semi-)autonomous transboundary interactions of subnational entities, making it a suitable framework for analysing the role of subnational governments in the governance of the transboundary resources of Lake Chad. Its utility is a consequence of the fact that it provides a route to the identification of localised approaches and solutions to transboundary challenges since the subnational governments are closer to the affected populations. It also offers states the opportunity to decentralise power and leverage the competence of

subnational governments in addressing the emergence of transboundary challenges within their territory.

Paradiplomacy is thus preferred over water diplomacy as an analytic framework. Water diplomacy focuses on state-level interactions geared towards the formulation of approaches to a negotiated resolution or management of transboundary water-related problems (Keskinen et al., 2021; Klimes et al., 2019; Islam and Repella, 2015). Paradiplomacy, on the other hand, provides a more nuanced lens through which the actorness and agency of subnational governments in the LCB can be examined. As the paper focused on the effect of the presence of the Governors' Forum amidst efforts to manage the interactions in the LCB, water diplomacy is not relevant. This is because while water diplomacy is vital for state-level analysis/examination, it does not account for the influence and agency of subnational governments in the LCB.

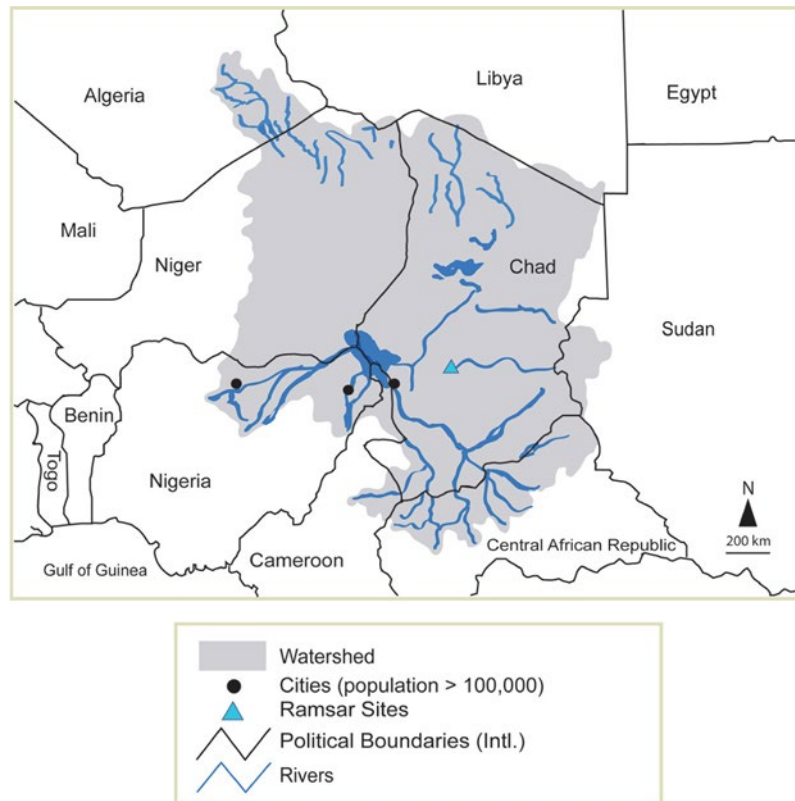
THE LAKE CHAD BASIN

Located in the West African Sahel, Lake Chad hosts significant biodiversity, including the endangered Kouri cow (*Bos taurus longifrons*), protein-rich spirulina (*Arthrospira platensis*), the endangered African savannah elephant (*Loxodonta Africana*), and a host of migratory birds (UNESCO, 2021; Gobush et al., 2021; Asah, 2015). It is one of the world's most important wetlands and is on the Ramsar List of Wetlands of International Importance that was established according to Article 2(1) of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat 1971. Lake Chad's riparian states include Cameroon, Chad, Niger and Nigeria and its drainage basin is estimated at 8% of Africa's total land surface area. As can be seen in Figure 1, the Lake Chad Basin floodplains are extensive and multinational, with the most significant in terms of size and ecological value being the Chari and Logone Rivers (which have their source in Cameroon, Central African Republic (CAR), and Chad) and the Yobe River (which has its source in Nigeria), while the Sategui-Derssia in Chad, the Yaere in Cameroon and Chad, and the Hedejia-Nguru wetlands in Nigeria are the better known floodplain sites (Odada et al., 2006; Adeyeri et al., 2020).

Lake Chad is a water source and provides livelihoods for a population projected to exceed 36 million by 2025 (LakeNet, 2004). However, it is a fragile ecosystem characterised by shrinkage caused by drought and the advancing Sahara Desert. Its situation is worsened by climate change, the increasing diversion and withdrawal of water, and anthropogenic causes such as uncontrolled and near-permanent clearing of green spaces for firewood and other human actions (Akanni, 2018; AFROSAI, 2015). Figure 1 shows the location of the Lake Chad Basin. Its conventional basin – which is reputed to have lost about 90% of its surface area since the 1960s – extends to Algeria, Libya, Sudan, the CAR, Cameroon, Nigeria and Niger. The same conventional basin encompasses almost all of Chad (the grey area in Figure 1) and tributaries of the two major sub-basins (the Komadugu-Yobe in Nigeria and the Chari-Logone emanating from the CAR, Chad and Cameroon). The remnant of the lake currently lies in an area contiguous to Chad, Cameroon, Niger and Nigeria (Asah, 2015).

Historically, the Lake Chad Basin is a theatre for the interaction of diverse interests as it has always been a regional hub, lying on the crossroad that links Western and Central Africa to North Africa. The Lake Chad Basin has attracted the attention of nations, kingdoms and city-states who both coveted it and sought to dominate it and its resources (Odada et al., 2006). The resulting interaction is the reason for the linkages and commonalities of cultural heritage, and traditional and religious practices that characterise the region today. The kingdoms and city-states with interests in the Basin were brought to an end by the divide-and-rule tactics employed by European states in the scramble for, and colonisation of Africa. During this epoch, the colonial powers as new stakeholders in the Basin limited their use of the Lake to border demarcation (Galeazzi et al., 2017), while their presence gave an international hue to interactions in the Lake Chad Basin. Post-independence, the change introduced by colonisation prevailed until the 1964 establishment of the Lake Chad Basin Commission (LCBC).

Figure 1. Map of the Lake Chad Basin.



Source: Asah (2015).

Today, the Lake Chad Basin cuts across national boundaries and is home to a cosmopolitan population including fishermen from Ghana, Mali and Nigeria; farmers from the CAR and Chad; Buduma or Kanuri herders from Cameroon, Chad and Nigeria; and Toubou, Arabs and Fula herders from northern and central Africa (Tar and Mustapha, 2017). Hence, the Lake Chad Basin serves as a crucial hub for both agriculture and the movement of goods and people.

However, the Lake Chad Basin faces complex and multifaceted challenges that impact the region's water resources and have broader implications for the stability and development of the area. These include the colonial history and postcolonial trajectories of the countries in the Lake Chad Basin. While Nigeria was colonised by the British, the other countries in the Basin were former colonies of France, including those not contiguous to the remnant of the lake. This diversity shaped their sociopolitical system and governmental bureaucracy, foreign relations, and approach to the use-cum-management of shared/transboundary resources like water.

The diversity in the LCB extends to the regional economic and monetary intersections in the Basin. Niger and Nigeria, for example, are part of the Economic Community of West African States (ECOWAS), while Chad, Cameroon and the CAR are members of the Economic Community of Central African States (ECCAS). The CAR, Chad, Cameroon and Niger, at the same time, are part of the *Communauté Financière Africaine* (CFA) zone, which is still linked to France years after the independence of the respective countries. The linkages and alliances come with responsibilities and obligations for the members and entail some consequences that may not bode well for the socio-economic development of the states and the LCB (Signe, 2019; Sylla, 2021). The fragmentation among actors and polemics associated with the proposed Transaqua project is an example of the foregoing. The project is supposed to transfer water

from the Congo River Basin via a canal to Lake Chad. Key actors include over a dozen countries, as well as regional organisations (like ECCAS, ECOWAS, and the International Congo Ubangui Sanga Commission), foreign governments, and multilateral agencies. These actors have put forward diverse and diverging arguments concerning the project and its implications. Cameroon, Chad, Niger and Nigeria which are greatly impacted by the shrinking of the Lake are supportive of the project. The CAR, on the other hand, which accounts for about 40% of the water inflow to the lake has argued that the project would have negative implications for land use within its territory; and has also raised sovereignty issues to support its counter position. The Democratic Republic of Congo (DRC), from where the water is to be sourced, also counters with the argument that the project would bring about biodiversity disruptions and as well as displacement of (Indigenous) communities. Environmental and civil society organisations have argued that there are other feasible alternatives, including improved local water management and climate change mitigation. Such strategies, they argue, can address Lake Chad's problems while avoiding the issues raised by opposing states and circumvent the risk of the attendant hydro-geopolitical issue (Sayan et al., 2020; Adeniran and Daniell, 2020). As a result of the obvious absence of stakeholder consensus, the project – first proposed 40 years ago – has yet to leave the drawing board. Meanwhile, the hydro-socioeconomic situation in the LCB has worsened.

The above notwithstanding, there are commonalities among countries in the LCB region. The Lake's riparian states belong to the Sahel region of Africa, which is characterised by Islam and Hausa (the predominant religion and language of commerce) and by poverty (Agbiboa, 2017). These similarities are not impacted by national boundaries or by the varying policies and priorities of the respective countries (Odada et al., 2006). Although not a positive factor, there is also the issue of the insecurity and resulting violence that has plagued the region (LCBC, 2015; IOM, 2019). This has led to widespread instability, displacement of communities, disruptions to traditional means of livelihood, and security challenges, all of which complicate efforts to implement sustainable water management practices and may hinder international and regional cooperation on transboundary water governance.

WATER RESOURCE GOVERNANCE IN THE BASIN

The reality is that the water resources of the LCB are finite. This is a cause for worry given the projected population growth in the region and other socioeconomic variables. At the least, this justifies the need for the establishment of a framework for the governance of the water resources of the Basin to ensure that maximum utility is derived from the finite water resources of the LCB. We conceptualise water governance as the process associated with the harnessing of water within or by a nation (Sheng, 2009). It extends to the institutions and structures that direct how power and responsibilities are exercised, how decisions are made, and how citizens or other stakeholders have their say regarding the use and management of water (Tantoh and Simatele, 2018). This makes effective governance a necessity if water is to be available for human needs and the continued development of nations (Ngene et al., 2021; Hotlos, 2008). The foregoing justifies a review of water governance in the Lake Chad Basin. A cursory examination reveals the involvement of different tiers of government in the implementation of water-related policies, the making of political decisions, and the allocation of the water resources of the Basin (Guy and Oñate, 2018). Below, we examine the layers and frameworks that underlie our assertion that effective water governance in the Lake Chad Basin is essential.

Supranational

At the centre of water resource governance in the LCB is the supranational entity known as the Lake Chad Basin Commission (LCBC). Established in 1964 with the signing of the Convention and Statute of the Lake Chad Commission by Cameroon, Chad, Niger and Nigeria, it is the oldest river basin organisation in Africa. Its membership increased when the CAR became a member in 1994 and with the admission of Libya in 2008, while Algeria, Egypt, the Republic of Congo and the Democratic Republic of Congo have observer

status. Sudan was admitted as a member in 2000 but is yet to ratify the organisation's constitutive documents (LCBC, 2021). The LCBC was conceived with the ambitious aim of fostering a collaborative and sustainable approach to the exploitation and management of the resources of Lake Chad (Agoro, 1966; Sand, 1974; LakeNet, 2004). As per design, the LCBC was to serve as a multinational platform for the harmonisation of the diverse interests and actions of its member concerning the Basin's water resources. The Convention and Statute of the Lake Chad Commission 1964, as the constitutive documents of the LCBC, push for an ecosystem approach to the governance and utilisation of resources of the Basin. The documents highlight the link between the Basin as home to natural resources that support human well-being, and the need to regiment its exploitation in a manner that would prevent rapid undesirable ecological consequences (Galeazzi et al., 2017).

The Convention pertains to diplomatic form and procedural issues, while the Statute establishes the details of the functions of the Commission and codifies the relevant theory of limited territorial sovereignty, the principles of consultation and notification (Sand, 1974; Agoro, 1966). According to Articles III and IV, the parties are obliged to inform the LCBC of any of their activities in the Basin that are likely to impact the interests of the other states and/or the Basin's biodiversity (Asah, 2015). As a result, the sovereignty of the parties is circumscribed as they are subject to certain obligations and limitations concerning the Basin's shared water resources. The Water Charter of the Lake Chad Basin 2011 specifically supports this thesis. This is because, collectively, Articles 1 and 10 declare the Lake Chad Basin to be international water and a common heritage that belongs to LCB members. The Charter mandates that the latter utilise the resources of the LCB in a manner that is in their collective interest instead of their national interests. Article 52 stipulates that, concerning the LCB, any planned action by an LCB member that is liable to cause significant harmful effects to another can only be undertaken after the issuance of authorisation by the LCBC. The Statute of the LCBC thus allows LCB states limited territorial sovereignty in the utilisation of the Basin's resources. Generally, the theory of limited territorial sovereignty entails equitable exploitation of natural resources and the obligation to not cause harm to the legitimate interests of others who have an active or substantial interest in the resource (Bilder, 1980; Rahaman, 2009). In the context of the LCB, the application of this theory means that a country is entitled to use the part of the Lake and the Basin in its territory to the extent that such utilisation does not interfere with the rights and interests of other countries in the Basin. It creates reciprocal rights and duties for all states in the Basin, promotes equitable utilisation of the Lake's shared resources, and further strengthens the obligation to not cause significant harm to others through such utilisation (Schroeder-Wildberg, 2002).

The above notwithstanding, the reference to the LCBC as a supranational entity is not in the traditional definition or understanding of a supranational institution as it lacks normative power (Tallberg, 2002) and authority over its members and the capacity to enforce its decisions. Its decisions also do not supersede the decisions or laws of its members. A more than cursory review of the constitutive documents reveals that the LCBC is instead characterised by consultation, cooperation and consensus amongst its members, and that its powers-cum-functions are more facilitative than binding or normative. The LCBC thus manifests as an intergovernmental platform for the harmonisation of national policies regarding resources in the LCB that are within the territory of LCBC members. It is also characterised by territorial specialisation and national-level affiliations (Egeberg, 2012). This can promote national interest since the decision-makers in the LCBC are representatives of their countries of origin. As a result, the LCBC is susceptible to the various national interests of member states and the power disparity amongst them. Libya, for example, lacks a surface water connection to Lake Chad and thus would arguably not be as invested in the governance of the LCBC or the management of the lake's resources as Chad, in whose territory lies 45% and 37% of the hydro-geographic basin and active basin respectively. Chad is thus a key hydrological stakeholder in the governance of LCBC and the management of the Basin's resources, as is Nigeria which contributes over 50% of the LCBC's operating budget (Galeazzi et al., 2017). Be that as it may, the LCBC is 'supranational' as it is dedicated to addressing the challenges within the Basin at a level

that is beyond the national and delves into the realms of regional cooperation regarding the sustainable management of the Basin's water resources (Akanni, 2018; Omar and Ani, 2018).

National

The LCB is transboundary in that it lies within the national boundaries of different sovereign states. The governments of the nation-states that constitute the LCBC are thus actors in the governance of the Basin's water resources. They identify as sovereign nations and are autonomous in decision-making. They are also structurally capable of pursuing foreign relations generally, as well as in the specific context of the water resources of the Basin that are within or associated with their respective territories. These factors are the basis for covert and overt national interests in the Basin's water resources and for the existence of a patchwork of national water governance frameworks in the Basin. In Cameroon, for example, water governance is fragmented amongst three sets of actors: (1) government ministries (the Ministry of Energy and Water Resources and the Ministry of the Environment, Nature Protection and Sustainable Development); (2) the National Water Committee, and (3) state-owned enterprises (SoEs) that are spread across the tiers of government (AFROSAI, 2015). Together, these entities are responsible for the country's water governance (Tantoh and Simatele, 2018; Oumar and Tewari, 2012).

The situation in Niger is similar. In addition to Nigerien ministries and SoEs, players in the Nigerien national water governance space include non-state actors, multilateral agencies such as the World Bank and the African Development Bank, bilateral donors, and private entities. *Société d'Exploitation des Eaux du Niger* (SEEN), for example, is a private company that had a lease contract from the *Société de Patrimoine des Eaux du Niger* (SPEN) – the asset-holding company for water utilities in Niger. SEEN was responsible for the production and distribution of drinking water in towns, including the nation's capital and villages nationwide (Maiga, 2011, 2016) until December 2022 when the national government decided not to renew the contract. Commencing January 2023, the Nigerien government nationalised the country's water management services and strengthened its sovereignty over essential public infrastructure and services with the establishment of *La Nigérienne des Eaux*, an SoE to assume SEEN's responsibilities (Nigerien News Agency, 2023).

Similarly in Chad, water governance is a multistakeholder endeavour. In addition to two ministries: (1) the Ministry of the Environment and Agriculture, which is responsible for executing policies regarding the environment and fishery resources, and (2) the Ministry of Hydraulics and Animal Husbandry, which *inter alia* formulates and implements policies and strategies relating to hydro-agricultural facilities and the construction of associated infrastructure, there is the National High Committee for the Environment. As part of the Chadian water governance framework, it is responsible for ensuring environmental sustainability for all activities including those relating to the water sector (AFROSAI, 2015).

The Nigerian situation is another example of multiple actors in the water governance sector. The extant legal architecture includes the Constitution of the Federal Republic of Nigeria 1999 (CFRN) at the top. The second tier of this legal framework is the ratified LCB convention. Along with these, there is a plethora of Nigerian legislation (e.g.; the *Water Resources Act* Cap W2 LFN 2004, *National Inland Waterways Act* Cap N 47 LFN 2004, *River Basins Development Authority Act* R9 LFN 2004, *Nigeria Hydrological Services Agency (Establishment) Act*, Cap N110A LFN 2004) and policies (e.g.; National Water Resources Policy 2016). This legal framework includes a myriad of federal ministries, extra-ministerial departments, agencies, and parastatals with diverse core competencies and objectives (FMWR, 2016), which potentially impact water resource governance in the LCB.

An assessment of this patchwork of frameworks is outside of the objective of this paper. However, it is important to note, that in addition to potentially giving rise to spatial externalities, the respective national water resource governance frameworks bring about deadweight losses. The patchwork of frameworks also forestalls the attainment of an ecosystem approach to the governance and utilisation of the Basin's resources. A case in point is the negative consequences of the Maga and Lagdo dams built

in the LCB region by the government of Cameroon in pursuit of national priorities. The Maga Dam was constructed to boost rice cultivation and livelihoods in Cameroon over time. However, it has given rise to devastating consequences for the Lake Chad ecosystem as it brought about reduced water flows to the lake and its wetlands, loss of flora and fauna, displacement of communities, and competition among communities for the lake's dwindling fish stock (Asah, 2015; Galeazzi et al., 2017). For its part, the Lago Dam was built to achieve a national priority of improving electric generation and irrigation to boost Cameroon's agricultural productivity. More recently, however, the dam has become a source of significant concern for communities in Nigeria because of the flooding that has been occasioned by the release of excess water from the dam to prevent potential structural damage from overflowing (Akanni, 2024; Sule, 2024).

Subnational

An emergent dimension of water resource governance in the Basin is the presence of subnational governments (SNGs) via the Governors' Forum. The Governors' Forum is a component of the Regional Strategy for Stabilisation, Recovery, and Resilience (RS-SRR) developed by the LCBC with support and validation from supranational entities such as the African Union (AU) and the United Nations. It complements military efforts at stabilising communities in the Basin area that have been impacted by the Boko Haram¹ insurgency and associated regional conflicts (AU, 2023; Ayandele, 2021; UNSC, 2019). This recent involvement of SNGs in international relations occurs in the face of the structures premised on the Westphalian principle of sovereignty which emphasises the exclusive role of central governments (CGs) as the sole representatives of their nation-states in the international arena. In this capacity, the CGs exercise plenary powers relative to the constituent political units or other tiers of government in the nation (Omiunu and Aniyie, 2022). With the Governors' Forum, however, eight SNGs have gained access to the international relations sphere and are now actors in matters related to the LCBC. The Governors' Forum reports to and advises the steering committee established to oversee all aspects of the implementation of the RS-SRR. The steering committee, in turn, reports to the LCBC Council of Ministers, providing strategic oversight and quality assurance in the context of the implementation of the RS-SRR (LCBC/AU, 2018). This development is unique in that it introduces actors who – in the context of the Westphalian principle of sovereignty – are considered to lack the status required for participation in international relations.

Despite the apparent disruption caused by the presence of SNGs in the water resource governance framework of the Basin, their participation offers significant benefits. SNGs are closer to the communities (and people) directly impacted by the resource management decisions taken by the nation-states individually or as a collective within the framework of the LCBC. SNG involvement in LCB relations thus provides an inclusive and bottom-up route to the attainment of an ecosystem approach to the governance and sustainable utilisation of the Basin's resources. In addition to the Governors' Forum's original purpose of combating the regional insurgency, it has the potential to facilitate community engagement, promote continuous dialogue and information sharing, and strengthen transborder coordination and collaboration among the SNGs, LCBC members and other multi-sectoral actors who have interests in the region. Participation of the heads of SNGs through the Governors' Forum in the Lake Chad Basin would also allow for the coalescing of the priorities and water resource governance frameworks of the respective SNGs. Their interaction provides an opportunity for alignment of objectives regarding harnessing the resources of the Basin. It also assists with combating structural challenges associated with the attainment of the region's development imperatives (Ayandele, 2021; State Government of Bornu State and UNDP, 2018), and with improved monitoring of compliance in the Basin with the provisions of the constitutive documents of the LCBC.

¹ These areas include Borno, Yobe and Adamawa states in Nigeria; Diffa region in Niger; region du Lac and Hajder-Lamis region in Chad; and the Far North region and North region of Cameroon.

CONSIDERING THE ELEPHANT IN THE ROOM

What is

The above analysis moved from highlighting the socio-economic situation in the Lake Chad Basin to scrutinising the Basin's framework for water governance. The conclusion is that the Basin has a mix of supranational, national and subnational water governance frameworks. The presence and engagement of subnational governments in the transboundary LCB water governance framework (alongside nations and regional and international organisations) is a deviation from the orthodoxy regarding the proper parties to international law and relations. In addition to creating opportunities for paradiplomacy – that is constituent unit foreign relations (Michelman, 2009a; 3) – the actorness of the subnational governments in the water governance framework of the LCB can be described as an extension of the existing multilevel governance framework associated with water governance in the Lake Chad region. It also reshapes the notion of sovereignty and blurs its boundaries in the context of the Lake Chad Basin region.

It should be noted that exogenous and endogenous variables in the LCB have given rise to the Governors' Forum and the resulting paradiplomacy. The variables referred to include the weakening of the status of the state in international law; the pursuit by subnational actors of greater autonomy or independence within the nation-state; the existence of transborder ethnic kinship; the pursuit of regional or transboundary identity; and the existence and proliferation of issues such as desertification, unrest, civil wars and religious/ethnic extremism. All of these have potential intermestic implications for the socio-economic well-being of the subnational tier of governments in the region and the entire region (Kuznetsov, 2015; Martínez, 2017; Omiunu and Aniyie, 2018, 2022; Kharel et al., 2019; Reinsberg and Dellepiane, 2023) as well as catalysed the transboundary interactions between SNGs and the Basin's foreign system.

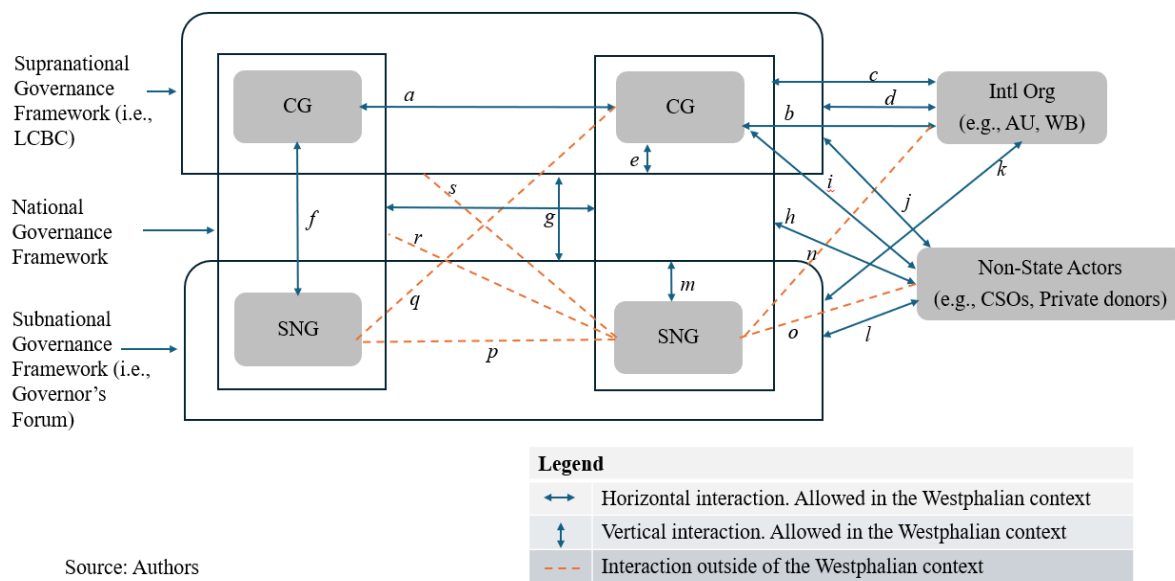
Implications

The coming into being of the Governors' Forum as an actor in the Basin's water resource governance framework is not without implications. The first implication is the erosion of the dichotomy between domestic and international policy space, and the blurring of the span of control of the respective tiers of government (Keating, 2013). This creates an opportunity for the domestic socio-economic issues that characterise the subnational level of the LCB states to morph into transboundary calamities and lead to jurisdictional conflicts. The second implication is the deviation from orthodox praxis (i.e., the Westphalia-inspired competency of recognised subjects in international law to engage in transboundary relationships). The Governors' Forum gives the Basin's subnational governments a privileged position in the international relations space and a role in the governance of a transboundary resource (Meissner and Warner, 2021). It could also be argued, that the Forum is being used by its proponents and sponsors to undercut the sovereignty of the nations in the Basin. Alternatively, it is posited that the Governors' Forum functions as a mechanism for the devolution of authority and responsibility for the stabilisation of the territory by the central governments in the LCB to their respective SNGs. Whatever the conclusion, the situation is contrary to the principle of foreign affairs exceptionalism/orthodoxy, which holds that only the central government of a sovereign state has the power to be involved in foreign or international affairs (Omiunu and Aniyie, 2022; Stein and Turkewitsch, 2018; Schaefer, 2001).

Again, the Governors' Forum introduces further complexity into the Basin's multilevel water resource governance framework. This is evidenced by Figure 2, below, which presents the water resource governance frameworks and interactions in the Lake Chad Basin. Before the Governors' Forum, there were only two governance frameworks (i.e., the supranational and the respective national frameworks). During this period, interactions between SNGs in the Basin existed outside of the supranational or national governance frameworks and is not in line with the Westphalian orthodoxy which also recognises

two forms of interaction (i.e., international and intranational). The international form involves interaction between members of the LCB, between LCB members and international organisations (e.g., the AU) or non-state actors (e.g., civil society organisations and private donors) or between the LCBC and other international organisations and non-state actors. These interactions are depicted by *a, b, c, d, e, h, i* and *j* in Figure 2. The intranational form encompasses those undertaken under the national water governance framework of each member of the LCB (i.e., interactions depicted by *f* in Figure 2). In addition, the broken lines (i.e., *n, o, p, q, r* and *s* in Figure 2) indicate SNG international relations (or transboundary interactions),² a phenomenon that is outside of the Westphalian conceptualisation of international relations.

Figure 2. Water resource governance frameworks and interactions in the Lake Chad Basin.



As previously stated, the introduction of the Governors’ Forum gave rise to a new paradigm in the Lake Chad Basin as it set up a third governance framework and vested SNGs with actorness in the Basin. SNGs, specifically, are responsible for ensuring timely preparation of the territorial action plans to operationalise the RS-SRR (which is a transboundary policy-cum-strategy) in their domain according to the approach and methodology outlined in it. They also oversee and coordinate meetings of humanitarian and development actors who are implementing the territorial action plans (LCBC/AU, 2018). The Governors’ Forum thus became the basis for the interactions depicted as *g, k, l* and *m*. These interactions – which were not possible under the governance frameworks associated with the Westphalian orthodoxy – are a consequence of the new status and competency (actorness) of the SNGs. The introduction of the Governors’ Forum has also legitimised the diplomatic interactions in the LCB region that are outside of (or contrary to) the orthodoxy of the Westphalian conception of international relations (i.e., the interactions depicted by *n, o, p, q, r* and *s* in Figure 2).

² Interactions on opposite sides of a national border in the LCB area can be referred to as cultural paradiplomacy. They are driven mostly by commonalities shared by contiguous communities such as heritage, traditions and cultural practices. Though such interactions often ignore borders, they have the potential to improve transboundary cooperation on various issues as well as contribute to peacebuilding and regional development. For a general discourse on cultural (para)diplomacy, see Nawa et al. (2017) and Zamorano and Morató (2015).

As can be gleaned from Figure 2, the presence of the Governors' Forum also makes the governance interaction in the LCB multidirectional. There is horizontal interaction involving SNG-to-SNG or CG-to-CG or national governance frameworks (depicted by *g* in Figure 2). The interaction is vertical when it is between entities not of the same status, such as CG-to-SNG (i.e., between an LCBC member and its SNGs or the SNGs of another LCBC member) or LCBC-to-SNG (i.e., between the LCBC and its members). LCBC-to-national governance frameworks or LCBC-to-SNG interactions are also, arguably, vertical interactions.

Another dimension is that the multiplicity of interactions could bring about situations where the various national and subnational governments become contestants in the quest for sustainable utilisation and management of the Basin's water resources. In such a situation, it is surmised that SNGs, as actors without sovereignty-associated obligation in the international relations space, could be disposed to adopting positions that do not 'mirror', or are averse to those of the central government (Chaloux and Paquin, 2013). This development is more real than apparent. This is because their policies, interests and activities may align with those of foreign actors interested in the Basin area while being contrary to that of the national government. Such a situation occurred during Nigeria's First Republic (1963-1966) when a Muslim-dominated subnational government was affiliated with Muslim states then in conflict with Israel. Based on this affiliation, the SNGs opposed the decision of the central government to establish relations with Israel (Omiunu and Aniyie, 2018). In the current era, when the existence of the LCB is confronted with the daunting challenges of religious extremism and insurgency, the adoption of opposing priorities and positions by the tiers of government involved in the water governance framework could worsen the situation in the LCB or at least disrupt cohesive basin-wide strategies that are essential for sustainable water resource management.

The situation created by the existence of the Governors' Forum nonetheless has its positives. First, its existence and the resulting paradiplomatic interactions offer SNGs a path to finding solutions to transborder issues, or those issues that are beyond their capacity to solve alone, or to issues that are not of interest to the central governments (Kharel et al., 2019). This applies to the water resources of the Basin. By its nature, water is unrestricted by state boundaries and can cut through multiple sovereign spaces. It is currently being assailed by environmental issues whose impact is ultimately felt at the meso and micro levels of the Basin's states. A second positive consequence of the existence of the Governors' Forum is that the ensuing water paradiplomacy can give rise to a more participatory approach to the formulation of solutions to the transboundary water-related issues prevailing in the region (Van den Brande et al., 2012). This is because it grants a broader population the opportunity to be part of the formulation and operationalisation of strategies focused on combating the issues facing the Lake Chad Basin environment (Aniyie, 2010). It also paves the way for participation and collaboration by multiple domestic and international stakeholders in addressing environmental issues (Morin et al., 2022). Thus, it is arguable that the Governors' Forum has the potential to further environmental democracy in the Basin area.

Thirdly, the existence of the Governors' Forum creates the opportunity for central governments to harness the emerging actorness of SNGs and other non-state parties in foreign relations. The Governors' Forum could be conceptualised as a vehicle that sovereigns can utilise in the expansion of their foreign relations and not one that challenges their sovereignty (which is characterised by hierarchical tiers of government, central exclusivity, and command and control of domestic and international issues) or is dismissive of their 'gatekeeper' role. This perspective is preferred to the one previously advanced, which suggests that the Governors' Forum is a mechanism for the devolution of power and responsibility for stabilisation of the Basin area. This perspective of the Governors' Forum is preferred because of the derivable utility. It considers the Governor's Forum as the legitimisation of multilevel (and multidirectional) paradiplomatic interactions in the Basin focused on the effective use and management of its water resources. It also creates a sociopolitical framework within which SNGs can undertake transboundary interactions without being regarded as deviant while providing central governments with

a means for reining, monitoring and influencing the manifestation of the actorness of their SNGs and other non-state parties interested in the LCB (Nganje, 2014; Cornago, 2010).

Fourthly, the Governors' Forum can serve as an instrument with which the sovereigns can improve the fortunes of the region for their collective good. It can also help promote an ecosystem approach to the governance and utilisation of the Basin's resources, as envisioned in the constitutive documents of the LCBC. As stated previously, the Basin area is characterised by continuities and commonalities. One of such is the shared socio-economic and cultural identity that is peculiar to the region. These commonalities are either unmindful of borders or do not recognise them. The same shared socio-economic and cultural identity, the location of the LCB and its connection to northern and central Africa makes the Lake Chad Basin a hub that is critical to the development, peace and well-being of LCBC members and all of West Africa. The members of the Governors' Forum – who are democratically elected and are indigenes of the region – represent the tier of government closest to the people. As such, they are better qualified to exploit commonalities such as shared language, religion or ethnicity in pursuit of more efficient water resource management.

CONCLUSION

The above analysis is somewhat stylised as it did not extend to an assessment of the effectiveness of Governors' Forum, as part of the governance model in the Basin in improving water resource management and regional stability. It points out, however, that the Basin is characterised by a complex, interwoven multilevel water governance framework. It also presents the Governors' Forum as an innovative approach to transboundary water management, a notable deviation from traditional foreign relations practices, and a shift towards a more inclusive model that accommodates the emerging actorness of subnational entities alongside that of sovereigns in foreign relations.

The paper concludes that there are potential benefits to be derived from the multiplicity of interactions within the framework; however, the same multiplicity of interactions could bring incoherence to water resource governance and the sustainable development of the Basin. To forestall this and other unsavoury implications and to help achieve sustainability goals, it is essential that coordination and policy coherence occur across all levels to ensure alignment of the interests and objectives associated with water governance among LCBC's stakeholders.

The case of the Lake Chad Basin serves as a model for understanding the dynamics of water governance in similarly complex geopolitical landscapes. It offers valuable lessons for policymakers and stakeholders in the pursuit of effective and sustainable transboundary water resource management. It describes the effect of the presence of SNGs in a space that, historically and theoretically, has been beyond their scope. The Governors' Forum thus qualifies for recognition as an innovative approach to managing transboundary water resources. Hence, this development in the Lake Chad Basin serves as a more inclusive model of transboundary water governance on the continent and other regions with similar challenges.

To address the concerns as they are outlined here, and to prevent potential negative impacts of the Governors' Forum on statehood in the Lake Chad Basin, it is recommended that legal and policy frameworks within the states of the Basin are streamlined to define the roles, responsibilities and limitations of the SNGs. In addition to further easing diplomatic relations in the Basin, this has the potential to ensure coherence in the Basin's water resource governance. It can also help reduce the inconsistencies that could bring about intra-national or intra-Basin tension and conflict, or international tension or conflict involving LCBC members and other external actors. There is also a need to strengthen the capacity of SNGs and the Governors' Forum to engage effectively in transboundary water management and foreign relations. Such capacity-building efforts should encompass financial and technical support, given that LCBC members are lower-income countries whose SNGs typically lack the expertise and resources to actively participate in foreign relations (Michelmann, 2009b). Without this,

the economies of scale derivable from the involvement of SNGs in the Lake Chad Basin water governance could be lost.

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